

Environmental Protection Agency

§ 63.99

in subpart A or other subparts or appendices). The State shall provide this identification in a side-by-side comparison of the State's requirements and the requirements of the Federal rule, emission standards, or requirements.

(3) The State shall provide the Administrator with detailed documentation that demonstrates the State's belief that the alternative requirements meet the criteria specified in § 63.93(b) of this subpart, i.e., that the alternative requirements are at least as stringent as the otherwise applicable Federal requirements.

[65 FR 55844, Sept. 14, 2000]

§ 63.98 [Reserved]

§ 63.99 Delegated Federal authorities.

(a) This section lists the specific source categories that have been dele-

gated to the air pollution control agencies in each State under the procedures described in this subpart.

(1) *Alabama.* (i) The following table lists the specific part 63 standards that have been delegated unchanged to the Alabama Department of Environmental Management for all sources. The "X" symbol is used to indicate each subpart that has been delegated. The delegations are subject to all of the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards.

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—ALABAMA¹

	Source category	Subpart	ADEM ²	JCDH ³	HDNR ⁴
1	HON	F, G, H, I	X	X	X
2	Polyvinyl Chloride & Co-polymers, VACATED on 5/11/05	J			
3	Coke Ovens	L	X	X	X
4	Dry Cleaners	M	X	X	X
5	Chromium Electroplating	N	X	X	X
6	EtO Commercial Sterilization	O	X	X	X
7	Chromium Cooling Towers	Q	X	X	X
8	Gasoline Distribution (stage 1)	R	X	X	X
9	Pulp & Paper I	S	X	X	X
10 ...	Halogenated Solvent Cleaning	T	X	X	X
11 ...	Polymer & Resins 1	U	X	X	X
12 ...	Polymer & Resins 2	W	X	X	X
13 ...	Secondary Lead Smelters	X	X	X	X
14 ...	Marine Tank Vessel Loading	Y	X	X	
15 ...	Phosphoric Acid Mfg	AA	X	X	X
16 ...	Phosphate Fertilizers Prod	BB	X	X	X
17 ...	Petroleum Refineries	CC	X	X	X
18 ...	Offsite Waste & Recovery	DD	X	X	X
	Tanks; Level 1	OO	X	X	X
	Containers	PP	X	X	X
	Surface Impoundments	QQ	X	X	X
	Drain Systems	RR	X	X	X
	Oil-Water Separators	VV	X	X	X
19 ...	Magnetic Tape	EE	X	X	X
20 ...	Aerospace Industry	GG	X	X	X
21 ...	Oil & Natural Gas Prod	HH	X	X	X
	Area Source Requirements >>..				
22 ...	Shipbuilding and Repair	II	X	X	X
23 ...	Wood Furniture Mfg	JJ	X	X	X
24 ...	Printing & Publishing	KK	X	X	X
25 ...	Primary Aluminum	LL			
26 ...	Pulp & Paper II (Combustion sources)	MM	X	X	X
27 ...	Generic MACT:				
	Control Devices	SS	X	X	X
	Eq. Leaks—Level 1	TT	X	X	X
	Eq. Leaks—Level 2	UU	X	X	X
	Tanks—Level 2	WW	X	X	X
28 ...	Generic MACT:				
	Ethylene Mfg	XX & YY	X	X	X
	Carbon Black	YY	X	X	X
	Spandex Prod	YY	X	X	X
	Cyanide Chemical Mfg	YY	X	X	X
	Acetal Resins	YY	X	X	X

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—ALABAMA¹—Continued

	Source category	Subpart	ADEM ²	JCDH ³	HDNR ⁴
	Acrylic/Modacrylic Fibers	YY	X	X	X
	Hydrogen Fluoride Prod	YY	X	X	X
	Polycarbonates Prod	YY	X	X	X
29 ...	Steel Pickling	CCC	X	X	X
30 ...	Mineral Wool Prod	DDD	X	X	X
31 ...	Hazardous Waste Combustion (Phase I)	EEE	X	X	X
32 ...	Boilers that burn Haz. Waste (Phase II)	EEE	X	X	X
33 ...	HCL Prod. Furnaces burning Haz. Waste (P II)	EEE	X	X	X
34 ...	Pharmaceutical Prod	GGG	X	X	X
35 ...	Nat. Gas Transmission & Storage	HHH	X	X	X
36 ...	Flexible Polyurethane Foam Prod	III	X	X	X
37 ...	Polymer & Resins 4	JJJ	X	X	X
38 ...	Portland Cement	LLL	X	X	X
39 ...	Pesticide Active Ingredients	MMM	X	X	X
40 ...	Wool Fiberglass	NNN	X	X	X
41 ...	Polymer & Resins 3 (Amino & Phenolic)	OOO	X	X	X
42 ...	Polyether Polyols Prod	PPP	X	X	X
43 ...	Primary Copper	QQQ	X		
44 ...	Secondary Aluminum Prod	RRR	X	X	X
45 ...	Primary Lead Smelting	TTT			
46 ...	Petro Refineries (FCC units)	UUU	X	X	X
47 ...	POTW	VVV	X	X	X
48 ...	Ferroalloys	XXX	X	X	X
49 ...	Municipal Landfills	AAAA	X	X	X
50 ...	Nutritional Yeast	CCCC	X	X	X
51 ...	Plywood and Composite Wood Prod. (Partial Vacatur Oct. 07)	DDDD	X	X	X
52 ...	Organic Liquids Distribution (non-gas)	EEEE	X	X	X
53 ...	Misc. Organic NESHAP	FFFF	X	X	X
54 ...	Vegetable Oil	GGGG	X	X	X
55 ...	Wet Formed Fiberglass	HHHH	X	X	X
56 ...	Auto & Light Duty Truck (coating)	IIII	X	X	X
57 ...	Paper & Other Webs	JJJJ	X	X	X
58 ...	Metal Can (coating)	KKKK	X	X	X
59 ...	Misc. Metal Parts (coating)	MMMM	X	X	X
60 ...	Large Appliances (coating)	NNNN	X	X	X
61 ...	Printing, Coating, & Dyeing Fabrics	OOOO	X	X	X
62 ...	Plastic Parts & Products (coating)	PPPP	X	X	X
63 ...	Wood Building Products	QQQQ	X	X	X
64 ...	Metal Furniture (coating)	RRRR	X	X	X
65 ...	Metal Coil (coating)	SSSS	X	X	X
66 ...	Leather Tanning & Finishing	TTTT	X		
67 ...	Cellulose Ethers Prod. Misc. Viscose Processes	UUUU	X		
68 ...	Boat Manufacturing	VVVV	X	X	X
69 ...	Reinforced Plastic Composites	WWWW	X	X	X
70 ...	Rubber Tire Mfg	XXXX	X	X	X
71 ...	Stationary Combustion Turbines	YYYY	X	X	X
72 ...	Reciprocating Int. Combustion Engines	ZZZZ	X	X	X
	Area Source Requirements >>..				
73 ...	Lime Manufacturing	AAAAA	X	X	X
74 ...	Semiconductor Production	BBBBB	X	X	X
75 ...	Coke Ovens: (Push/Quench/Battery/Stacks)	CCCCC	X	X	X
76 ...	Industrial/Commercial/Institutional Boilers & Process Heaters, VACATED on 7/30/07.	DDDDD			
77 ...	Iron Foundries	EEEE	X	X	X
78 ...	Integrated Iron & Steel	FFFF	X	X	X
79 ...	Site Remediation	GGGGG	X	X	X
80 ...	Misc. Coating Manufacturing	HHHHH	X	X	X
81 ...	Mercury Cell Chlor-Alkali	IIIII	X	X	X
82 ...	Brick & Structural Clay Products, VACATED on 6/18/07	JJJJJ			
83 ...	Clay Ceramics Manufacturing, VACATED on 6/18/07	KKKKK			
84 ...	Asphalt Roofing & Processing	LLLLL	X	X	X
85 ...	Flex. Polyurethane Foam Fabrication	MMMMM	X		
86 ...	Hydrochloric Acid Prod/Fumed Silica	NNNNN	X	X	X
87 ...	Engine & Rocket Test Facilities	PPPPP	X	X	X
88 ...	Friction Materials Manufacturing	QQQQQ	X	X	X
89 ...	Taconite Iron Ore	RRRRR	X	X	X
90 ...	Refractories	SSSSS	X		
91 ...	Primary Magnesium	TTTTT	X	X	X
Area Source Rules					
92 ...	Hospital Sterilizers	WWWWW			

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—ALABAMA ¹—Continued

	Source category	Subpart	ADEM ²	JCDH ³	HDNR ⁴
93 ...	Stainless and Nonstainless Steel Mfg. Electric Arc Furnaces	YYYYY			
94 ...	Iron & Steel foundries	ZZZZZ			
95 ...	Gasoline Distribution—Bulk	BBBBBB			
96 ...	Gasoline Dispensing Facilities	CCCCC			
97 ...	PVC & Copolymers Prod	DDDDDD	X	X	
98 ...	Primary Copper	EEEEEE	X	X	
99 ...	Secondary Copper Smelting	FFFFFF	X	X	
100	Primary Nonferrous Metals	GGGGGG	X	X	
101	Paint Stripping	HHHHHH			
	Auto-Body Refinishing.				
	Plastic Parts & Prod. (coating).				
102	Acrylic/Modacrylic Fibers Prod	LLLLLL			
103	Carbon Black Prod	MMMMMM			
104	Chemical Mfg. Chrom	NNNNNN			
105	Flex. Polyurethane Foam Fab	OOOOOO			
	Flex. Polyurethane Foam Prod.				
106	Lead Acid Battery Mfg	PPPPPP			
107	Wood Preserving	QQQQQQ			
108	Clay Ceramics Mfg	RRRRRR			
109	Glass Mfg	SSSSSS			
110	Secondary Nonferrous Metals	TTTTTT			
110	Plating and Polishing	WWWWWW			
112	Industrial Mach. & Eq. Finishing	XXXXXX			
	Elect. & Electronics Eq. Finishing.				
	Fabricated Metal Prod.				
	Fabricated Plate Work (Boiler Shop).				
	Fabricated Structural Metal Mfg.				
	Heating Eq. Mfg.				
	Iron and Steel Forging.				
	Primary Metals Prod. Mfg.				
	Valves and Pipe Fittings Mfg.				
113	Ferroalloys Production	YYYYYY			
	Ferro/Silico Manganese.				

¹ State program approved on October 29, 2001. Table last updated on October 5, 2008.

² Alabama Department of Environmental Management.

³ Jefferson County Department of Health.

⁴ Huntsville Department of Natural Resources.

(ii) Alabama Department of Environmental Management (ADEM) may implement and enforce alternative requirements in the form of title V permit terms and conditions for International Paper Prattville Mill, Prattville, Alabama, for subpart MM of this part—National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicemical Pulp Mills. This action is contingent upon ADEM including, in title V permits, terms and conditions that are no less stringent

than the Federal standard. In addition, the requirement applicable to the source remains the Federal section 112 requirement until EPA has approved the alternative permit terms and conditions and the final title V permit is issued.

(2) *Alaska.* (i) The following table lists the specific part 63 standards that have been delegated unchanged to the Alaska Department of Environmental Conservation. The (X) symbol is used to indicate each subpart that has been delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—ALASKA

Subpart		Alaska Department of Environmental Conservation (1/18/97)
A	General Provisions ¹	X
D	Early Reductions	X
F	HON-SOCMI.	
G	HON-Process Vents.	

DELEGATION STATUS FOR PART 63 STANDARDS—ALASKA—Continued

Subpart		Alaska Department of Environmental Conservation (1/18/97)
H	HON-Equipment Leaks.	
I	HON-Negotiated Leaks.	
L	Coke Oven Batteries.	
M	Perc Dry Cleaning	X
N	Chromium Electroplating	X ²
O	Ethylene Oxide Sterilizers.	
Q	Industrial Process Cooling Towers	X
R	Gasoline Distribution	X
S	Pulp and Paper.	
T	Halogenated Solvent Cleaning	X
U	Polymers and Resins I.	
W	Polymers and Resins II-Epoxy.	
X	Secondary Lead Smelting.	
Y	Marine Tank Vessel Loading	X
CC	Petroleum Refineries	X
DD	Off-Site Waste and Recovery	X
EE	Magnetic Tape Manufacturing.	
GG	Aerospace Manufacturing & Rework.	
II	Shipbuilding and Ship Repair	X
JJ	Wood Furniture Manufacturing Operations	X
KK	Printing and Publishing Industry	X
LL	Primary Aluminum.	
OO	Tanks—Level 1.	
PP	Containers.	
QQ	Surface Impoundments.	
RR	Individual Drain Systems.	
VV	Oil-Water Separators and Organic-Water Separators.	
EEE	Hazardous Waste Combustors.	
JJJ	Polymers and Resins IV.	

¹ Authorities which are not delegated include: 40 CFR 63.6(g); 63.6(h)(9); 63.7(e)(2)(ii) and (f) for approval of major alternatives to test methods; 63.8(f) for approval of major alternatives to monitoring; 63.10(f); and all authorities identified in the subparts (i.e., under "Delegation of Authority") that cannot be delegated. For definitions of minor, intermediate, and major alternatives to test methods and monitoring, see memorandum from John Seitz, Office of Air Quality Planning and Standards, dated July, 10, 1998, entitled, "Delegation of 40 CFR Part 63 General Provisions Authorities to State and Local Air Pollution Control Agencies."

² Alaska received delegation for Subpart N (Chromium Electroplating) as it applies to sources required to obtain an operating permit under Alaska's regulations. EPA retains the authority for implementing and enforcing Subpart N for area source chromium electroplating and anodizing operations which have been exempted from Part 70 permitting in 40 CFR 63.340(e)(1).

(ii) [Reserved]

NOTE TO PARAGRAPH (a)(2): The date in parenthesis indicates the effective date of the federal rules that have been adopted by and delegated to the Alaska Department of Environmental Conservation. Therefore, any amendments made to these delegated rules after this effective date are not delegated to the agency.

(3) *Arizona.* (i) The following table lists the specific Part 63 standards that have been delegated unchanged to the air pollution control agencies in the State of Arizona. The (X) symbol is used to indicate each category that has been delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA

Subpart	Description	ADEQ ¹	MCAQD ²	PDEQ ³	PCAQCD ⁴
A	General Provisions	X	X	X	X
F	Synthetic Organic Chemical Manufacturing Industry.	X	X	X	X
G	Synthetic Organic Chemical Manufacturing Industry: Process Vents, Storage Vessels, Transfer Operations, and Wastewater.	X	X	X	X
H	Organic Hazardous Air Pollutants: Equipment Leaks.	X	X	X	X
I	Organic Hazardous Air Pollutants: Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.	X	X	X	X

Environmental Protection Agency

§ 63.99

DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA—Continued

Subpart	Description	ADEQ ¹	MCAQD ²	PDEQ ³	PCAQCD ⁴
J	Polyvinyl Chloride and Copolymers Production.	X	X	X	
L	Coke Oven Batteries	X	X	X	X
M	Perchloroethylene Dry Cleaning	X	X	X	X
N	Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.	X	X	X	X
O	Ethylene Oxide Sterilization Facilities	X	X	X	X
Q	Industrial Process Cooling Towers	X	X	X	X
R	Gasoline Distribution Facilities	X	X	X	X
S	Pulp and Paper	X	X	X	
T	Halogenated Solvent Cleaning	X	X	X	X
U	Group I Polymers and Resins	X	X	X	X
W	Epoxy Resins Production and Non-Nylon Polyamides Production.	X	X	X	X
X	Secondary Lead Smelting	X	X	X	X
Y	Marine Tank Vessel Loading Operations				
AA	Phosphoric Acid Manufacturing Plants	X	X	X	
BB	Phosphate Fertilizers Production Plants	X	X	X	
CC	Petroleum Refineries	X	X	X	X
DD	Off-Site Waste and Recovery Operations	X	X	X	X
EE	Magnetic Tape Manufacturing Operations	X	X	X	X
GG	Aerospace Manufacturing and Rework Facilities.	X	X	X	X
HH	Oil and Natural Gas Production Facilities	X	X	X	
JJ	Wood Furniture Manufacturing Operations	X	X	X	X
KK	Printing and Publishing Industry	X	X	X	X
LL	Primary Aluminum Reduction Plants	X		X	
MM	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills.	X	X	X	
OO	Tanks—Level 1	X	X	X	X
PP	Containers	X	X	X	X
QQ	Surface Impoundments	X	X	X	X
RR	Individual Drain Systems	X	X	X	X
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.	X	X	X	
TT	Equipment Leaks—Control Level 1	X	X	X	
UU	Equipment Leaks—Control Level 2	X	X	X	
VV	Oil-Water Separators and Organic-Water Separators.	X	X	X	X
WW	Storage Vessels (Tanks)—Control Level 2	X	X	X	
XX	Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations.	X	X	X	
YY	Generic MACT Standards	X	X	X	
CCC	Steel Pickling	X	X	X	
DDD	Mineral Wool Production	X	X	X	
EEE	Hazardous Waste Combustors	X	X	X	
GGG	Pharmaceuticals Production	X	X	X	
HHH	Natural Gas Transmission and Storage Facilities.	X	X	X	
III	Flexible Polyurethane Foam Production	X	X	X	
JJJ	Group IV Polymers and Resins	X	X	X	X
LLL	Portland Cement Manufacturing Industry	X	X	X	
MMM	Pesticide Active Ingredient Production	X	X	X	
NNN	Wool Fiberglass Manufacturing	X	X	X	
OOO	Manufacture of Amino/Phenolic Resins	X	X	X	
PPP	Polyether Polyols Production	X	X	X	
QQQ	Primary Copper Smelting	X	X	X	
RRR	Secondary Aluminum Production	X	X	X	
TTT	Primary Lead Smelting	X	X	X	
UUU	Petroleum Refineries: Catalytic Cracking, Catalytic Reforming, and Sulfur Recovery Units.	X	X	X	
VVV	Publicly Owned Treatment Works	X	X	X	
XXX	Ferroalloys Production	X	X	X	
AAAA	Municipal Solid Waste Landfills	X	X	X	
CCCC	Manufacturing of Nutritional Yeast	X	X	X	
DDDD	Plywood and Composite Wood Products	X	X	X	
EEEE	Organic Liquids Distribution (non-gasoline)	X	X	X	
FFFF	Miscellaneous Organic Chemical Manufacturing.	X	X	X	

DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA—Continued

Subpart	Description	ADEQ ¹	MCAQD ²	PDEQ ³	PCAQCD ⁴
GGGG	Solvent Extraction for Vegetable Oil Production.	X	X	X	
HHHH	Wet-Formed Fiberglass Mat Production	X	X	X	
IIII	Surface Coating of Automobiles and Light-Duty Trucks.	X	X	.....
JJJJ	Paper and Other Web Coating	X	X	X	
KKKK	Surface Coating of Metal Cans	X	X	X	
MMMM	Miscellaneous Metal Parts and Products	X	X	X	
NNNN	Large Appliances	X	X	X	
OOOO	Printing, Coating, and Dyeing of Fabrics and Other Textiles.	X	X	X	
PPPP	Surface Coating of Plastic Parts and Products.	X	X	.....
QQQQ	Wood Building Products	X	X	X	
RRRR	Surface Coating of Metal Furniture	X	X	X	
SSSS	Surface Coating of Metal Coil	X	X	X	
TTTT	Leather Finishing Operations	X	X	X	
UUUU	Cellulose Products Manufacturing	X	X	X	
VVVV	Boat Manufacturing	X	X	X	
WWWW	Reinforced Plastics Composites Production	X	X	X	
XXXX	Tire Manufacturing	X	X	X	
YYYY	Stationary Combustion Turbines	X	X	X	
ZZZZ	Stationary Reciprocating Internal Combustion Engines.	X	X	.....
AAAAA	Lime Manufacturing Plants	X	X	X	
BBBBB	Semiconductor Manufacturing	X	X	X	
CCCCC	Coke Oven: Pushing, Quenching and Battery Stacks.	X	X	X	
DDDDD	Industrial, Commercial, and Institutional Boiler and Process Heaters.	X	X	.....
EEEEE	Iron and Steel Foundries	X	X	X	
FFFFF	Integrated Iron and Steel	X	X	X	
GGGGG	Site Remediation	X	X	X	
HHHHH	Miscellaneous Coating Manufacturing	X	X	X	
IIIII	Mercury Emissions from Mercury Cell Chlor-Alkali Plants.	X	X	X	
JJJJJ	Brick and Structural Clay Products Manufacturing.	X	X	X	
KKKKK	Clay Ceramics Manufacturing	X	X	X	
LLLLL	Asphalt Roofing and Processing	X	X	X	
MMMMM	Flexible Polyurethane Foam Fabrication Operation.	X	X	X	
NNNNN	Hydrochloric Acid Production	X	X	X	
PPPPP	Engine Test Cells/Stands	X	X	X	
QQQQQ	Friction Products Manufacturing	X	X	X	
RRRRR	Taconite Iron Ore Processing	X	X	X	
SSSSS	Refractory Products Manufacturing	X	X	X	
TTTTT	Primary Magnesium Refining	X	X	X	
WWWWW	Hospital Ethylene Oxide Sterilizers .....	.....	X	X	
YYYYY	Area Sources: Electric Arc Furnace Steelmaking Facilities.	.....	X	X	
ZZZZZ	Iron and Steel Foundries Area Sources .....	.....	X	X	
BBBBBB	Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.	.....	X	X	
CCCCCC	Gasoline Dispensing Facilities .....	.....	X	X	
DDDDDD	Polyvinyl Chloride and Copolymers Production Area Sources.	.....	X	X	
EEEEEE	Primary Copper Smelting Area Sources .....	.....	X	X	
FFFFFF	Secondary Copper Smelting Area Sources .....	.....	X	X	
GGGGGG	Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium.	.....	X	X	
HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources.	.....	X	X	
LLLLLL	Acrylic and Modacrylic Fibers Production Area Sources.	.....	X	X	
MMMMMM	Carbon Black Production Area Sources .....	.....	X	X	
NNNNNN	Chemical Manufacturing Area Sources: Chromium Compounds.	.....	X	X	
OOOOOO	Flexible Polyurethane Foam Production and Fabrication Area Sources.	.....	X	X	
PPPPPP	Lead Acid Battery Manufacturing Area Sources.	.....	X	X	

DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA—Continued

Subpart	Description	ADEQ ¹	MCAQD ²	PDEQ ³	PCAQCD ⁴
QQQQQQ	Wood Preserving Area Sources .....	.....	X	X	
RRRRRR	Clay Ceramics Manufacturing Area Sources .....	.....	X	X	
SSSSSS	Glass Manufacturing Area Sources .....	.....	X	X	
TTTTTT	Secondary Nonferrous Metals Processing Area Sources.	.....	X	X	
WWWWWW	Area Source Standards for Plating and Polishing Operations.	.....	X	.....
XXXXXX	Area Source Standards for Nine Metal Fabrication and Finishing Source Categories.	.....	X	.....
YYYYYY	Area Sources: Ferroalloys Production Facilities.	.....	X	.....
ZZZZZZ	Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries.	.....	X	.....

¹ Arizona Department of Environmental Quality.² Maricopa County Air Quality Department.³ Pima County Department of Environmental Quality.⁴ Pinal County Air Quality Control District.

(4) [Reserved]

(5) *California*—(i)(A) *California major sources*. Except as described in paragraph (ii) below, each local air pollution control agency in California has delegation for national emission standards promulgated in this part as they apply to major sources.

(B) *California area sources*. Except as described in paragraph (a)(5)(ii) of this section, the local agencies listed below also have delegation for national emission standards promulgated in this part as they apply to area sources:

(1) Amador County Air Pollution Control District.

(2) Antelope Valley Air Quality Management District.

(3) Butte County Air Quality Management District.

(4) Kern County Air Pollution Control District.

(5) Mendocino County Air Quality Management District.

(6) Mojave Desert Air Quality Management District.

(7) Monterey Bay Unified Air Pollution Control District.

(8) San Diego County Air Pollution Control District.

(9) San Joaquin Valley Unified Air Pollution Control District, only for standards promulgated in this part and incorporated by reference in district Rule 4002, amended on May 20, 2004.

(10) San Luis Obispo County Air Pollution Control District.

(11) Santa Barbara County Air Pollution Control District.

(12) Ventura County Air Pollution Control District.

(13) Yolo-Solano Air Quality Management District.

(ii) *California approvals other than straight delegation*. Affected sources must comply with the *California Regulatory Requirements Applicable to the Air Toxics Program*, November 16, 2010, (incorporated by reference as specified in § 63.14) as described as follows:

(A) The material incorporated in Chapter 1 of the *California Regulatory Requirements Applicable to the Air Toxics Program* (California Code of Regulations Title 17, sections 93109, 93109.1, and 93109.2) pertains to the perchloroethylene dry cleaning source category in the State of California, and has been approved under the procedures in § 63.93 to be implemented and enforced in place of subpart M—National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities, as it applies to area sources only, as defined in § 63.320(h).

(I) Authorities not delegated.

(i) California is not delegated the Administrator's authority to implement and enforce California Code of Regulations Title 17, section 93109, in lieu of those provisions of subpart M which apply to major sources, as defined in § 63.320(g). Dry cleaning facilities which are major sources remain subject to subpart M.

(ii) California is not delegated the Administrator's authority of § 63.325 to determine equivalency of emissions

control technologies. Any source seeking permission to use an alternative means of emission limitation, under sections 93109(d)(27) or (38), or (i)(3)(A)(2), Title 17 of the California Code of Regulations, must also receive approval from the Administrator before using such alternative means of emission limitation for the purpose of complying with section 112 of the Clean Air Act.

(iii) This delegation does not extend to the provisions regarding California's enforcement authorities or its collection of fees as described in Sections 93109.1(c) or 93109.2(c) and (d), Title 17 of the California Code of Regulations. Approval of the California Code of Regulations, Title 17, sections 93109, 93109.1, and 93109.2 does not in any way limit the enforcement authorities, including the penalty authorities, of the Clean Air Act.

(B) [Reserved]

(C) The material incorporated in Chapter 3 of the California Regulatory Requirements Applicable to the Air Toxics Program (South Coast Air Quality Management District Rule 1421) pertains to the perchloroethylene dry cleaning source category in the South Coast Air Quality Management District, and has been approved under the procedures in § 63.93 to be implemented and enforced in place of Subpart M—National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities, as it applies to area sources only, as defined in § 63.320(h).

(I) Authorities not delegated.

(i) South Coast Air Quality Management District is not delegated the Administrator's authority to implement and enforce Rule 1421 in lieu of those provisions of Subpart M which apply to major sources, as defined in § 63.320(g). Dry cleaning facilities which are major sources remain subject to Subpart M.

(ii) South Coast Air Quality Management District is not delegated the Administrator's authority of § 63.325 to determine equivalency of emissions control technologies. Any source seeking permission to use an alternative means of emission limitation, under sections (c)(17), (d)(3)(A)(v), (d)(4)(B)(ii)(III), and (j) of Rule 1421, must also receive approval from the Administrator before using such alternative means of emis-

sion limitation for the purpose of complying with section 112.

(D) [Reserved]

(E) The material incorporated in Chapter 5 of the California Regulatory Requirements Applicable to the Air Toxics Program (California Code of Regulations, Title 17, section 93102) pertains to the chromium electroplating and anodizing source category in the State of California, and has been approved under the procedures in § 63.93 to be implemented and enforced in place of subpart N—National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.

(1) *Title V requirements.* Subpart N affected sources remain subject to both the Title V permitting requirements of § 63.340(e)(2) and, for major sources, the semi-annual submission of the ongoing compliance status reports as required by § 63.347(g).

(2) *Limits on maximum cumulative potential rectifier usage.* Section 93102(h)(7)(B) of the California Airborne Toxic Control Measure allows facilities with a maximum cumulative potential rectifier capacity of greater than 60 million ampere-hours per year to be considered small or medium by accepting a limit on the maximum cumulative potential rectifier usage. All such usage limits in non-Title V operating permits are federally-enforceable for the purpose of this rule substitution.

(3) *Permitting Agencies' breakdown/malfunction rules.* Section 93102(i)(4) of the California Airborne Toxic Control Measure provides that the owner or operator shall report breakdowns as required by the permitting agency's breakdown rule. Under this rule substitution, the permitting agencies' breakdown rules do not override or supplant the requirements of section 93102(g)(4), (h)(5), (h)(6), (i)(3)(B), or Appendix 3; neither expand the scope nor extend the time-frame of a breakdown beyond the definition of section 93102(b)(7); and do not grant the permitting agencies the authority to determine whether a breakdown has occurred, to grant emergency variances, or to decide to take no enforcement action. Owners or

operators must submit written break-down reports even if the permitting agency has not formally requested such reports.

(4) *Performance test requirements.* Section 93102(d)(3)(A) of the California Airborne Toxic Control Measure allows the use of California Air Resources Board Method 425, dated July 28, 1997, and South Coast Air Quality Management District Method 205.1, dated August 1991, for determining chromium emissions. Any alternatives, modifications, or variations to these test methods must be approved under the procedures in section 93102(k) of the California Airborne Toxic Control Measure.

(6)–(7) [Reserved]

(8) *Delaware.* (i) Affected sources must comply with the Delaware Department of Natural Resources and Environmental Control, Division of Air and Waste Management, Accidental Release Prevention Regulation, sections 1–5 and sections 7–14, January 11, 1999 (incorporated by reference as specified in § 63.14). The material incorporated in the Delaware Department of Natural Resources and Environmental Control, Division of Air and Waste Management, Accidental Release Prevention Regulation, sections 1–5 and sections 7–14 pertains to owners and operators of stationary sources in the State of Delaware that have more than a threshold quantity of a regulated substance in a process, as described in section 5.10 of Delaware's regulation, and has been approved under the procedures in §§ 63.93 and 63.95 to be implemented and enforced in place of 40 CFR part 68—Chemical Accident Prevention Provisions.

(ii) Affected sources must comply with the State of Delaware Regulations Governing the Control of Air Pollution, Regulation No. 38, subpart A, effective September 11, 1999 (incorporated by reference as specified in § 63.14). The material incorporated in the State of Delaware Regulations Governing the Control of Air Pollution, Regulation No. 38, subpart A pertains to owners and operators of stationary sources in the State of Delaware that are subject to emission standard requirements of the State of Delaware Regulations Governing the Control of Air Pollution, Regulation No. 38, subparts M, N and Q

and 40 CFR part 63 and has been approved under the procedures in § 63.91 and § 63.92 to be implemented and enforced in place of 40 CFR part 63, subpart A. Delaware is delegated the authority to implement and enforce its regulation in place of 40 CFR part 63, subpart A, in accordance with the final rule, published in the FEDERAL REGISTER on October 2, 2001, effective December 3, 2001.

(iii) Affected sources must comply with the State of Delaware Regulations Governing the Control of Air Pollution, Regulation No. 38, subpart M, effective October 11, 2000 (incorporated by reference as specified in § 63.14). The material incorporated in the State of Delaware Regulations Governing the Control of Air Pollution, Regulation No. 38, subpart M pertains to owners and operators of perchloroethylene dry-cleaning facilities and has been approved under the procedures in § 63.91 and § 63.92 to be implemented and enforced in place of 40 CFR part 63, subpart M. Delaware is delegated the authority to implement and enforce its regulation in place of 40 CFR part 63, subpart M, in accordance with the final rule, published in the FEDERAL REGISTER on October 2, 2001, effective December 3, 2001.

(iv) Affected sources must comply with the State of Delaware Regulations Governing the Control of Air Pollution, Regulation No. 38, subpart N, effective October 11, 2000 (incorporated by reference as specified in § 63.14). The material incorporated in the State of Delaware Regulations Governing the Control of Air Pollution, Regulation No. 38, subpart N pertains to owners and operators of hard and decorative chromium electroplating and chromium anodizing tanks and has been approved under the procedures in § 63.91 and § 63.92 to be implemented and enforced in place of 40 CFR part 63, subpart N. Delaware is delegated the authority to implement and enforce its regulation in place of 40 CFR part 63, subpart N, in accordance with the final rule, published in the FEDERAL REGISTER on October 2, 2001, effective December 3, 2001.

(v) Affected sources must comply with the State of Delaware Regulations Governing the Control of Air Pollution, Regulation No. 38, subpart Q, effective

§ 63.99

40 CFR Ch. I (7–1–12 Edition)

May 11, 1998 (incorporated by reference as specified in § 63.14). The material incorporated in the State of Delaware Regulations Governing the Control of Air Pollution, Regulation No. 38, subpart Q pertains to owners and operators of industrial process cooling towers and has been approved under the procedures in §§ 63.91 and 63.92 to be implemented and enforced in place of 40 CFR part 63, subpart Q. Delaware is delegated the authority to implement and enforce its regulation in place of 40 CFR part 63, subpart Q, in accordance with the final rule, published in the FEDERAL REGISTER on October 2, 2001, effective December 3, 2001.

(9) *District of Columbia.* (i) The District of Columbia is delegated the authority to implement and enforce the regulations in 40 CFR part 63, subparts A, M, N, T, VVV and Appendix A and all future unchanged 40 CFR part 63 standards and amendments, if delegation of future standards and amend-

ments is sought by the District of Columbia Department of Health and approved by EPA Region III, at affected sources, as defined by 40 CFR part 63, in accordance with the final rule, dated December 26, 2001, effective February 25, 2002, and any mutually acceptable amendments to the terms described in the direct final rule.

(10) *Florida.* (i) The following table lists the specific part 63 standards that have been delegated unchanged to the Florida Department of Environmental Protection (FDEP) for all sources. The “X” symbol is used to indicate each subpart that has been delegated. The delegations are subject to all of the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards.

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—FLORIDA¹

	Source category	Subpart	FDEP
1	HON	F, G, H, I	X
2	Polyvinyl Chloride & Co-polymers VACATED on 5/11/05.	J	X
3	Coke Ovens	L	X
4	Dry Cleaners	M	X
5	Chromium Electroplating	N	X
6	EtO Commercial Sterilization	O	X
7	Chromium Cooling Towers	Q	X
8	Gasoline Distribution (stage 1)	R	X
9	Pulp & Paper I	S	X
10	Halogenated Solvent Cleaning	T	X
11	Polymer & Resins 1	U	X
12	Polymer & Resins 2	W	X
13	Secondary Lead Smelters	X	X
14	Marine Tank Vessel Loading	Y	X
15	Phosphoric Acid Mfg	AA	X
16	Phosphate Fertilizers Prod	BB	X
17	Petroleum Refineries	CC	X
18	Offsite Waste & Recovery	DD	X
	Tanks; Level 1	OO	X
	Containers	PP	X
	Surface Impoundments	QQ	X
	Drain Systems	RR	X
	Oil-Water Separators	VV	X
19	Magnetic Tape	EE	X
20	Aerospace Industry	GG	X
21	Oil & Natural Gas Prod	HH	X
	Area Source Requirements >>..		
22	Shipbuilding and Repair	II	X
23	Wood Furniture Mfg	JJ	X
24	Printing & Publishing	KK	X
25	Primary Aluminum	LL	X
26	Pulp & Paper II (Combustion sources)	MM	X
27	Generic MACT:		
	Control Devices	SS	X
	Eq. Leaks—Level 1	TT	X
	Eq. Leaks—Level 2	UU	X
	Tanks—Level 2	WW	X
28	Generic MACT:		
	Ethylene Mfg	XX & YY	X

Environmental Protection Agency

§ 63.99

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—FLORIDA¹—Continued

	Source category	Subpart	FDEP
	Carbon Black	YY	X
	Spandex Prod	YY	X
	Cyanide Chemical Mfg	YY	X
	Acetal Resins	YY	X
	Acrylic/Modacrylic Fibers	YY	X
	Hydrogen Fluoride Prod	YY	X
	Polycarbonates Prod	YY	X
29	Steel Pickling	CCC	X
30	Mineral Wool Prod	DDD	X
31	Hazardous Waste Combustion (Phase I)	EEE	X
32	Boilers that burn Haz. Waste (Phase II)	EEE	X
33	HCL Prod. Furnaces burning Haz. Waste (P II)	EEE	X
34	Pharmaceutical Prod	GGG	X
35	Nat. Gas Transmission & Storage	HHH	X
36	Flexible Polyurethane Foam Prod	III	X
37	Polymer & Resins 4	JJJ	X
38	Portland Cement	LLL	X
39	Pesticide Active Ingredients	MMM	X
40	Wool Fiberglass	NNN	X
41	Polymer & Resins 3 (Amino & Phenolic)	OOO	X
42	Polyether Polyols Prod	PPP	X
43	Primary Copper	QQQ	X
44	Secondary Aluminum Prod	RRR	X
45	Primary Lead Smelting	TTT	X
46	Petro Refineries (FCC units)	UUU	X
47	POTW	VVV	X
48	Ferroalloys	XXX	X
49	Municipal Landfills	AAAA	X
50	Nutritional Yeast	CCCC	X
51	Plywood and Composite Wood Prod. (Partial Vacatur Oct. 07).	DDDD	X
52	Organic Liquids Distribution (non-gas)	EEEE	X
53	Misc. Organic NESHAP	FFFF	X
54	Vegetable Oil	GGGG	X
55	Wet Formed Fiberglass	HHHH	X
56	Auto & Light Duty Truck (coating)	IIII	X
57	Paper & Other Webs	JJJJ	X
58	Metal Can (coating)	KKKK	X
59	Misc. Metal Parts (coating)	MMMM	X
60	Large Appliances (coating)	NNNN	X
61	Printing, Coating, & Dyeing Fabrics	OOOO	X
62	Plastic Parts & Products (coating)	PPPP	X
63	Wood Building Products	QQQQ	X
64	Metal Furniture (coating)	RRRR	X
65	Metal Coil (coating)	SSSS	X
66	Leather Tanning & Finishing	TTTT	X
67	Cellulose Ethers Prod. Misc. Viscose Processes	UUUU	X
68	Boat Manufacturing	VVVV	X
69	Reinforced Plastic Composites	WWWW	X
70	Rubber Tire Mfg	XXXX	X
71	Stationary Combustion Turbines	YYYY	X
72	Reciprocating Int. Combustion Engines	ZZZZ	X
	Area Source Requirements >>..		
73	Lime Manufacturing	AAAAA	X
74	Semiconductor Production	BBBBB	X
75	Coke Ovens: (Push/Quench/Battery/Stacks)	CCCCC	X
76	Industrial/Commercial/Institutional Boilers & Process Heaters, VACATED on 7/30/07.	DDDDD	
77	Iron Foundries	EEEEE	X
78	Integrated Iron & Steel	FFFFF	X
79	Site Remediation	GGGGG	X
80	Misc. Coating Manufacturing	HHHHH	X
81	Mercury Cell Chlor-Alkali	IIIII	X
82	Brick & Structural Clay Products, VACATED on 6/18/07.	JJJJJ	X
83	Clay Ceramics Manufacturing, VACATED on 6/18/07	KKKKK	X
84	Asphalt Roofing & Processing	LLLLL	X
85	Flex. Polyurethane Foam Fabrication	MMMMM	X
86	Hydrochloric Acid Prod/Fumed Silica	NNNNN	X
87	Engine & Rocket Test Facilities	PPPPP	X
88	Friction Materials Manufacturing	QQQQQ	X
89	Taconite Iron Ore	RRRRR	X

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—FLORIDA ¹—Continued

	Source category	Subpart	FDEP
90	Refactories	SSSSS	X
91	Primary Magnesium	TTTTT	X
Area Source Rules			
92	Hospital Sterilizers	WWWWW	
93	Stainless and Nonstainless Steel Mfg. Electric Arc Furnaces.	YYYYY	X
94	Iron & Steel foundries	ZZZZZ	X
95	Gasoline Distribution—Bulk	BBBBBB	
96	Gasoline Dispensing Facilities	CCCCCC	
97	PVC & Copolymers Prod	DDDDDD	X
98	Primary Copper	EEEEEE	X
99	Secondary Copper Smelting	FFFFFF	X
100	Primary Nonferrous Metals	GGGGGG	X
101	Paint Stripping	HHHHHH	
	Auto-Body Refinishing.		
	Plastic Parts & Prod. (coating).		
102	Acrylic/Modacrylic Fibers Prod	LLLLLL	X
103	Carbon Black Prod	MMMMMM	X
104	Chemical Mfg. Chrom	NNNNNN	X
105	Flex. Polyurethane Foam Fab	OOOOOO	X
	Flex. Polyurethane Foam Prod.		
106	Lead Acid Battery Mfg	PPPPPP	X
107	Wood Preserving	QQQQQQ	X
108	Clay Ceramics Mfg	RRRRRR	X
109	Glass Mfg	SSSSSS	X
110	Secondary Nonferrous Metals	TTTTTT	X
110	Plating and Polishing	WWWWWW	
112	Industrial Mach. & Eq. Finishing	XXXXXX	
	Elect. & Electronics Eq. Finishing.		
	Fabricated Metal Prod.		
	Fabricated Plate Work (Boiler Shop).		
	Fabricated Structural Metal Mfg.		
	Heating Eq. Mfg.		
	Iron and Steel Forging.		
	Primary Metals Prod. Mfg.		
113	Valves and Pipe Fittings Mfg.	YYYYYY	
	Ferroalloys Production		
	Ferro/Silico Manganese.		

¹ State program approved on October 1, 2001. Delegation table last updated on December 19, 2008.

(ii) [Reserved]

(11) *Georgia.* (i) The following table lists the specific part 63 standards that have been delegated unchanged to the Georgia Environmental Protection Division (GEPD) for all sources. The “X” symbol is used to indicate each subpart that has been delegated. The delega-

tions are subject to all of the conditions and limitations set force in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards.

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—GEORGIA ¹

	Source category	Subpart	GEPD
1	HON	F, G, H, I	X
2	Polyvinyl Chloride & Co-polymers VACATED on 5/11/05.	J	X
3	Coke Ovens	L	X
4	Dry Cleaners	M	X
5	Chromium Electroplating	N	X
6	EtO Commercial Sterilization	O	X
7	Chromium Cooling Towers	Q	X
8	Gasoline Distribution (stage 1)	R	X
9	Pulp & Paper I	S	X
10	Halogenated Solvent Cleaning	T	X
11	Polymer & Resins 1	U	X

Environmental Protection Agency

§ 63.99

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—GEORGIA¹—Continued

	Source category	Subpart	GEPD
12	Polymer & Resins 2	W	X
13	Secondary Lead Smelters	X	X
14	Marine Tank Vessel Loading	Y	X
15	Phosphoric Acid Mfg	AA	X
16	Phosphate Fertilizers Prod	BB	X
17	Petroleum Refineries	CC	X
18	Offsite Waste & Recovery	DD	X
	Tanks; Level 1	OO	X
	Containers	PP	X
	Surface Impoundments	QQ	X
	Drain Systems	RR	X
	Oil-Water Separators	VV	X
19	Magnetic Tape	EE	X
20	Aerospace Industry	GG	X
21	Oil & Natural Gas Prod	HH	X
	Area Source Requirements >>..		
22	Shipbuilding and Repair	II	X
23	Wood Furniture Mfg	JJ	X
24	Printing & Publishing	KK	X
25	Primary Aluminum	LL	
26	Pulp & Paper II (Combustion sources)	MM	X
27	Generic MACT:		
	Control Devices	SS	X
	Eq. Leaks—Level 1	TT	X
	Eq. Leaks—Level 2	UU	X
	Tanks—Level 2	WW	X
28	Generic MACT:		
	Ethylene Mfg	XX & YY	X
	Carbon Black	YY	X
	Spandex Prod	YY	X
	Cyanide Chemical Mfg	YY	X
	Acetal Resins	YY	X
	Acrylic/Modacrylic Fibers	YY	X
	Hydrogen Fluoride Prod	YY	X
	Polycarbonates Prod	YY	X
29	Steel Pickling	CCC	X
30	Mineral Wool Prod	DDD	X
31	Hazardous Waste Combustion (Phase I)	EEE	X
32	Boilers that burn Haz. Waste (Phase II)	EEE	X
33	HCL Prod. Furnaces burning Haz. Waste (P II)	EEE	X
34	Pharmaceutical Prod	GGG	X
35	Nat. Gas Transmission & Storage	HHH	X
36	Flexible Polyurethane Foam Prod	III	X
37	Polymer & Resins 4	JJJ	X
38	Portland Cement	LLL	X
39	Pesticide Active Ingredients	MMM	X
40	Wool Fiberglass	NNN	X
41	Polymer & Resins 3 (Amino & Phenolic)	OOO	X
42	Polyether Polyols Prod	PPP	X
43	Primary Copper	QQQ	X
44	Secondary Aluminum Prod	RRR	X
45	Primary Lead Smelting	TTT	X
46	Petro Refineries (FCC units)	UUU	X
47	POTW	VVV	X
48	Ferroalloys	XXX	X
49	Municipal Landfills	AAAA	X
50	Nutritional Yeast	CCCC	X
51	Plywood and Composite Wood Prod. (Partial Vacatur Oct. 07).	DDDD	X
52	Organic Liquids Distribution (non-gas)	EEEE	X
53	Misc. Organic NESHAP	FFFF	X
54	Vegetable Oil	GGGG	X
55	Wet Formed Fiberglass	HHHH	X
56	Auto & Light Duty Truck (coating)	IIII	X
57	Paper & Other Webs	JJJJ	X
58	Metal Can (coating)	KKKK	X
59	Misc. Metal Parts (coating)	MMMM	X
60	Large Appliances (coating)	NNNN	X
61	Printing, Coating, & Dyeing Fabrics	OOOO	X
62	Plastic Parts & Products (coating)	PPPP	X
63	Wood Building Products	QQQQ	X
64	Metal Furniture (coating)	RRRR	X

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—GEORGIA¹—Continued

	Source category	Subpart	GEPD
65	Metal Coil (coating)	S S S S	X
66	Leather Tanning & Finishing	TTTT	X
67	Cellulose Ethers Prod. Misc. Viscose Processes	UUUU	X
68	Boat Manufacturing	VVVV	X
69	Reinforced Plastic Composites	WWWW	X
70	Rubber Tire Mfg	XXXX	X
71	Stationary Combustion Turbines	YYYY	X
72	Reciprocating Int. Combustion Engines	ZZZZ	X
	Area Source Requirements >>..		
73	Lime Manufacturing	AAAAA	X
74	Semiconductor Production	BBBBB	X
75	Coke Ovens: (Push/Quench/Battery/Stacks)	CCCCC	X
76	Industrial/Commercial/Institutional Boilers & Process Heaters, VACATED on 7/30/07.	DDDDD	
77	Iron Foundries	EEEEE	X
78	Integrated Iron & Steel	FFFFF	X
79	Site Remediation	GGGGG	X
80	Misc. Coating Manufacturing	HHHHH	X
81	Mercury Cell Chlor-Alkali	IIIII	X
82	Brick & Structural Clay Products, VACATED on 6/18/07.	JJJJJ	
83	Clay Ceramics Manufacturing, VACATED on 6/18/07	KKKKK	
84	Asphalt Roofing & Processing	LLLLL	X
85	Flex. Polyurethane Foam Fabrication	MMMMM	X
86	Hydrochloric Acid Prod/Fumed Silica	NNNNN	X
87	Engine & Rocket Test Facilities	PPPPP	X
88	Friction Materials Manufacturing	QQQQQ	X
89	Taconite Iron Ore	RRRRR	X
90	Refractories	SSSSS	X
91	Primary Magnesium	TTTTT	X
Area Source Rules			
92	Hospital Sterilizers	WWWWW	
93	Stainless and Nonstainless Steel Mfg. Electric Arc Furnaces.	YYYYY	
94	Iron & Steel foundries	ZZZZZ	
95	Gasoline Distribution—Bulk	BBBBBB	
96	Gasoline Dispensing Facilities	CCCCCC	
97	PVC & Copolymers Prod	DDDDDD	
98	Primary Copper	EEEEEE	
99	Secondary Copper Smelting	FFFFFF	
100	Primary Nonferrous Metals	GGGGGG	
	Paint Stripping.		
101	Auto-Body Refinishing	HHHHHH	
	Plastic Parts & Prod. (coating).		
102	Acrylic/Modacrylic Fibers Prod	LLLLLL	
103	Carbon Black Prod	MMMMMM	
104	Chemical Mfg. Chrom	NNNNNN	
	Flex. Polyurethane Foam Fab.		
105	Flex. Polyurethane Foam Prod	OQOQOO	
106	Lead Acid Battery Mfg	PPPPPP	
107	Wood Preserving	QQQQQQ	
108	Clay Ceramics Mfg	RRRRRR	
109	Glass Mfg	SSSSSS	
110	Secondary Nonferrous Metals	TTTTTT	
110	Plating and Polishing	WWWWWW	
112	Industrial Mach. & Eq. Finishing	XXXXXX	
	Elect. & Electronics Eq. Finishing.		
	Fabricated Metal Prod.		
	Fabricated Plate Work (Boiler Shop).		
	Fabricated Structural Metal Mfg.		
	Heating Eq. Mfg.		
	Iron and Steel Forging.		
	Primary Metals Prod. Mfg.		
	Valves and Pipe Fittings Mfg.		
113	Ferroalloys Production	YYYYYY	
	Ferro/Silico Manganese.		

¹ State program approved on June 8, 2000. Delegation table last updated on September 15, 2008.

Environmental Protection Agency

§ 63.99

(ii) Georgia Environmental Protection Division (GEPD) may implement and enforce alternative requirements in the form of title V permit terms and conditions for International Paper Augusta Mill, Augusta, Georgia, for subpart S of this part—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry. This action is contingent upon GEPD including, in title V permits, terms and conditions that are no less stringent than the Federal standard. In addition, the requirement applicable to the source remains the Federal section 112 requirement until EPA has approved the alternative permit terms and conditions and the final title V permit is issued.

(12) [Reserved]

(13) *Idaho*. (i) The following table lists the specific part 63 subparts that have been delegated unchanged to the Idaho Department of Environmental Quality. The (X) symbol indicates that all or part of the subpart is delegated, subject to the conditions and limits in EPA's action:

DELEGATION STATUS OF PART 63 NESHAPS—
STATE OF IDAHO¹

Subpart	IDEQ
A. General Provisions	X
D. Early Reductions	X
F. HON-SOCMI	X
G. HON-Process Vents	X
H. HON-Equipment Leaks	X
I. HON-Negotiated Leaks	X
L. Coke Oven Batteries	X
M. Perchloroethylene Dry Cleaning	X
N. Chromium Electroplating	X
O. Ethylene Oxide Sterilizers	X
Q. Industrial Process Cooling Towers	X
R. Gasoline Distribution	X
S. Pulp and Paper	X
T. Halogenated Solvent Cleaning	X
U. Polymers and Resins I	X
W. Polymers and Resins II—Epoxy	X
X. Secondary Lead Smelting	X
Y. Marine Tank Vessel Loading	X
AA. Phosphoric Acid Manufacturing Plants	X
BB. Phosphate Fertilizers Production Plants	X
CC. Petroleum Refineries	X
DD. Off-Site Waste and Recovery	X
EE. Magnetic Tape Manufacturing	X
GG. Aerospace Manufacturing & Rework	X
HH. Oil and Natural Gas Production Facilities	X
II. Shipbuilding and Ship Repair	X
JJ. Wood Furniture Manufacturing Operations	X

DELEGATION STATUS OF PART 63 NESHAPS—
STATE OF IDAHO¹—Continued

Subpart	IDEQ
KK. Printing and Publishing Industry	X
LL. Primary Aluminum	X
OO. Tanks—Level 1	X
PP. Containers	X
QQ. Surface Impoundments	X
RR. Individual Drain Systems	X
SS. Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or Process	
TT. Equipment Leaks—Control Level 1	X
UU. Equipment Leaks—Control Level 2	X
VV. Oil-Water Separators and Organic-Water Separators	X
WW. Storage Vessels (Tanks)—Control Level 2	X
YY. Source Categories: Generic MACT	X
CCC. Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants	X
DDD. Mineral Wool Production	X
EEE. Hazardous Waste Combustors	X
GGG. Pharmaceuticals Production	X
HHH. Natural Gas Transmission and Storage Facilities	X
III. Flexible Polyurethane Foam Production	X
JJJ. Polymers and Resins IV	X
LLL. Portland Cement Manufacturing	X
MMM. Pesticide Active Ingredient Production	X
NNN. Wool Fiberglass Manufacturing	X
OOO. Manufacture of Amino Phenolic Resins	X
PPP. Polyether Polyols Production	X
RRR. Secondary Aluminum Production	X
TTT. Primary Lead Smelting	X
VVV. Publicly Owned Treatment Works	X
XXX. Ferroalloys Production: Ferromanganese & Silicomanganese	X

¹ Delegation is for major sources only and subject to all federal law, regulations, policy and guidance.

(ii) [Reserved]

(14)–(17) [Reserved]

(18) *Kentucky*.

(i) The following table lists the specific part 63 standards that have been delegated unchanged to the Louisiana Department of Environmental Quality for all sources. The “X” symbol is used to indicate each subpart that has been delegated. The delegations are subject to all of the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards. Any amendments made to these rules after the date of adoption are not delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF LOUISIANA

Subpart	Source category	LDEQ ¹
A	General Provisions	X
D	Early Reductions	NO

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF LOUISIANA—Continued

Subpart	Source category	LDEQ ¹
F,G,H & I	SOCMI HON	X
J	Polyvinyl Chloride & Copolymers Production	NO ²
L	Coke Oven Batteries	X
M	Perchloroethylene—Dry Cleaners	X
N	Chromium	X
O	Ethylene Oxide Sterilization	X
Q	Industrial Process Cooling Towers	X
R	Gasoline Distribution	X
S	Pulp & Paper MACT I	X
T	Halogenated Solvent	X
U	Polymers & Resins/Group I	X
W	Epoxy Resins and Non-Nylon Polyamides	X
X	Secondary Lead Smelting	X
Y	Marine Vessel Loading	X
AA/BB	Phosphoric Acid/Phosphate Fertilizers	X
CC	Petroleum Refineries (MACT I)	X
DD	Offsite Waste & Recovery	X
EE	Magnetic Tape Mfg	X
GG	Aerospace Mfg and Rework	X
HH	Oil & Natural Gas Production	X
II	Shipbuilding & Ship Repair	X
JJ	Wood Furniture Manufacturing	X
KK	Printing & Publishing	X
LL	Primary Aluminum Reduction Plants	X
MM	Combustion Sources at Kraft, Soda, and Sulfite Pulp & Paper Mills	X
OO	Storage Vessels (Tanks)—Control Level 1	X
PP	Standards for Containers	X
QQ	Standards for Surface Impoundments	X
RR	Standards for Individual Drain Systems	X
SS	Closed Vent Systems, Control Devices, Recovery Devices & Routing to a Fuel Gas System or a Process.	X
TT	Equipment Leaks—Control Level 1	X
UU	Equipment Leaks—Control Level 2	X
VV	Standards for Oil-Water Separators & Organic-Water Separators	X
WW	Storage Vessels (Tanks)—Control Level 2	X
XX	Ethylene Manufacturing Process Units: Heat Exchange Systems & Waste Operations ...	X
YY	Acetal Resins	X
YY	Acrylic/Modacrylic Fibers	X
YY	Carbon Black Production	X
YY	Cyanide Chemicals Mfg	X
YY	Ethylene Production	X
YY	Hydrogen Fluoride	X
YY	Polycarbonates Production	X
YY	Spandex Production	X
CCC	Steel Pickling—HCL Process Facilities and Hydrochloric Acid Regeneration Plants	X
DDD	Standards for Mineral-Wool Production	X
EEE	Standards for Hazardous Waste Combustors	X
GGG	Standards for Pharmaceuticals Production	X
HHH	Standards for Natural Gas Transmission & Storage	X
III	Flexible Polyurethane Foam Production	X
JJJ	Polymers & Resins/Group IV	X
LLL	Portland Cement Manufacturing	X
MMM	Pesticide Active Ingredient Production	X
NNN	Wool Fiberglass	X
OOO	Polymers & Resins III Amino Resins, Phenolic Resins	X
PPP	Polyether Polyols Production	X
QQQ	Primary Copper Smelting	X
RRR	Secondary Aluminum Production	X
TTT	Primary Lead Smelting	X
UUU	Petroleum Refineries (Catalytic Cracking Units, Catalytic Reforming Units and Sulfur Recovery Plants).	X
VVV	Publicly Owned Treatment Works (POTW)	X
XXX	Ferroalloys Production	X
ZZZ	Plywood/Particle Board Manufacturing	NO
AAAA	Municipal Solid Waste Landfills	X
CCCC	Nutritional Yeast Manufacturing	X
DDDD	Plywood & Composite Wood Products	NO
EEEE	Organic Liquids Distribution (Non-Gasoline)	X
FFFF	Miscellaneous Organic	X
GGGG	Solvent Extraction for Vegetable Oil Production	X
HHHH	Wet-Formed Fiberglass Mat Production	X
IIII	Auto & Light Duty Truck (Surface Coating)	X

Environmental Protection Agency

§ 63.99

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF LOUISIANA—Continued

Subpart	Source category	LDEQ ¹
JJJJ	Paper & Other Webs (Surface Coating)	X
KKKK	Metal Can (Surface Coating)	X
MMMM	Misc. Metal Parts (Surface Coating)	X
NNNN	Large Appliances (Surface Coating)	X
OOOO	Fabric Printing, Coating & Dyeing (Surface Coating)	X
PPPP	Plastic Parts & Products (Surface Coating)	X
QQQQ	Wood Building Products (formerly Flat Wood Paneling) (Surface Coating)	X
RRRR	Metal Furniture (Surface Coating)	X
SSSS	Metal Coil (Surface Coating)	X
TTTT	Leather-Finishing Operations	X
UUUU	Cellulose Products	X
VVVV	Boat Manufacturing	X
WWWW	Reinforced Plastics Composites Production	X
XXXX	Rubber Tire Manufacturing	X
YYYY	Combustion Turbines	X
ZZZZ	Reciprocating Internal Combustion Engines (RICE)	X
AAAA	Lime Manufacturing Plants	X
BBBB	Semiconductor Manufacturing	X
CCCC	Coke Oven; Pushing, Quenching, & Battery Stacks	X
DDDD	Industrial, Commercial & Institutional Boilers & Process Heaters	NO ²
EEEE	Iron & Steel Foundries	X
FFFF	Integrated Iron & Steel Manufacturing Facilities	X
GGGG	Site Remediation	X
HHHH	Miscellaneous Coating Manufacturing	X
IIII	Mercury Cell Chlor-Alkali Plants	NO ²
JJJJ	Brick & Structural Clay Products Manufacturing	NO ²
KKKK	Clay Ceramics Manufacturing	NO ²
LLLL	Asphalt Roofing and Processing	X
MMMM	Flexible Polyurethane Foam Fabrication Operation	X
NNNN	Hydrochloric Acid Production	X
PPPP	Engine Test Cells/Stands (Combined w/Rocket Testing Facilities)	X
QQQQ	Friction Products Manufacturing	X
RRRR	Taconite Ore Processing	X
SSSS	Refractory Products Manufacturing	X
TTTT	Primary Magnesium Refining	X
YYYY	Electric Arc Furnace Steelmaking Facilities	X
BBBB	Gasoline Distribution Terminals	X
CCCC	Gasoline Dispensing Facilities	X
DDDD	Polyvinyl Chloride and Copolymers Production	X
EEEE	Primary Copper Smelting	X
FFFF	Secondary Copper Smelting	X
GGGG	Primary Nonferrous Metals Zinc, Cadmium, and Beryllium	X
HHHH	Paint Stripping and Miscellaneous Surface Coating	X
LLLL	Acrylic/Modacrylic Fiber	X
MMMM	Carbon Black Production	X
NNNN	Chromium Compounds	X
PPPP	Lead Acid Battery Mfg.	X
QQQQ	Wood Preserving	X
RRRR	Clay Ceramics Mfg.	X
SSSS	Glass Manufacturing	X
TTTT	Secondary Nonferrous Metals Processing (Brass, Bronze, Magnesium, & Zinc)	X
UUUU— VVVVV	(Reserved).	
WWWWW	Plating and Polishing Operations	X
XXXXX	Metal Fabrication & Finishing Source Nine Categories	X
YYYYY	Ferroalloys Production Facilities	X
ZZZZZ	(Reserved).	

¹ Federal Rules Adopted by Louisiana Department of Environmental Quality (LDEQ), unchanged as of June 16, 2006.

² Although previously delegated to some States, this standard has been vacated and remanded to EPA by the U.S. Court of Appeals for District of Columbia Circuit. Therefore, this standard is not delegated at this time to any States in Region 6.

(ii) [Reserved]

(19) *Louisiana.* (i) The following table lists the specific part 63 standards that have been delegated unchanged to the Louisiana Department of Environmental Quality for all sources. The

“X” symbol is used to indicate each subpart that has been delegated. The delegations are subject to all of the conditions and limitations set forth in

Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain

General Provisions authorities and specific parts of some standards. Any amendments made to these rules after the date of adoption are not delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF LOUISIANA ¹

Subpart	Source category	LDEQ ^{2, 3}
A	General Provisions	X
F	Hazardous Organic NESHAP (HON)—Synthetic Organic Chemical Manufacturing Industry (SOCMI)	X
G	HON—SOCMI Process Vents, Storage Vessels, Transfer Operations and Wastewater	X
H	HON—Equipment Leaks	X
I	HON—Certain Processes Negotiated Equipment Leak Regulation	X
J	Polyvinyl Chloride and Copolymers Production	X ⁴
K	(Reserved)	
L	Coke Oven Batteries	X
M	Perchloroethylene Dry Cleaning	X
N	Chromium Electroplating and Chromium Anodizing Tanks	X
O	Ethylene Oxide Sterilizers	X
P	(Reserved)	
Q	Industrial Process Cooling Towers	X
R	Gasoline Distribution	X
T	Halogenated Solvent Cleaning	X
U	Group I Polymers and Resins	X
V	(Reserved)	
W	Epoxy Resins Production and Non-Nylon Polyamides Production	X
X	Secondary Lead Smelting	X
Y	Marine Tank Vessel Loading	X
Z	(Reserved)	
AA	Phosphoric Acid Manufacturing Plants	X
BB	Phosphate Fertilizers Production Plants	X
CC	Petroleum Refineries	X
DD	Off-Site Waste and Recovery Operations	X
EE	Magnetic Tape Manufacturing	X
FF	(Reserved)	
GG	Aerospace Manufacturing and Rework Facilities	X
HH	Oil and Natural Gas Production Facilities	X
II	Shipbuilding and Ship Repair Facilities	X
JJ	Wood Furniture Manufacturing Operations	X
KK	Printing and Publishing Industry	X
LL	Primary Aluminum Reduction Plants	X
MM	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfide, and Stand-Alone Semichemical Pulp Mills	X
NN	(Reserved)	
OO	Tanks—Level 1	X
PP	Containers	X
QQ	Surface Impoundments	X
RR	Individual Drain Systems	X
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process	X
TT	Equipment Leaks—Control Level 1	X
UU	Equipment Leaks—Control Level 2 Standards	X
VV	Oil-Water Separators and Organic-Water Separators	X
WW	Storage Vessels (Tanks)—Control Level 2	X
XX	Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations	X
YY	Generic Maximum Achievable Control Technology Standards	X
ZZ-BBB	(Reserved)	
CCC	Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration	X
DDD	Mineral Wool Production	X
EEE	Hazardous Waste Combustors	X
FFF	(Reserved)	
GGG	Pharmaceuticals Production	X
HHH	Natural Gas Transmission and Storage Facilities	X
III	Flexible Polyurethane Foam Production	X
JJJ	Group IV Polymers and Resins	X
KKK	(Reserved)	
LLL	Portland Cement Manufacturing	X
MMM	Pesticide Active Ingredient Production	X
NNN	Wool Fiberglass Manufacturing	X
OOO	Amino/Phenolic Resins	X
PPP	Polyether Polyols Production	X

Environmental Protection Agency

§ 63.99

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF LOUISIANA¹—Continued

Subpart	Source category	LDEQ ^{2,3}
QQQ	Primary Copper Smelting	X
RRR	Secondary Aluminum Production	X
SSS	(Reserved)	
TTT	Primary Lead Smelting	X
UUU	Petroleum Refineries—Catalytic Cracking Units, Catalytic Reforming Units and Sulfur Recovery Plants	X
VVV	Publicly Owned Treatment Works (POTW)	X
WWW	(Reserved)	
XXX	Ferroalloys Production: Ferromanganese and Silicomanganese	X
AAAA	Municipal Solid Waste Landfills	X
CCCC	Nutritional Yeast Manufacturing	X
EEEE	Organic Liquids Distribution (Non-Gasoline)	X
FFFF	Miscellaneous Organic Chemical Manufacturing	X
GGGG	Solvent Extraction for Vegetable Oil Production	X
HHHH	Wet Formed Fiberglass Mat Production	X
IIII	Auto & Light Duty Trucks	X
JJJJ	Paper and other Web Coating	X
KKKK	Surface Coating of Metal Cans	X
MMMM	Surface Coating of Miscellaneous Metal Parts and Products	X
NNNN	Surface Coating of Large Appliances	X
OOOO	Printing, Coating, and Dyeing of Fabrics and Other Textiles	X
PPPP	Surface Coating of Plastic Parts and Products	X
QQQQ	Surface Coating of Wood Building Products	X
RRRR	Surface Coating of Metal Furniture	X
SSSS	Surface Coating for Metal Coil	X
TTTT	Leather Finishing Operations	X
UUUU	Cellulose Production Manufacture	X
VVVV	Boat Manufacturing	X
WWWW	Reinforced Plastic Composites Production	X
XXXX	Tire Manufacturing	X
YYYY	Stationary Combustion Turbines	X
ZZZZ	Stationary Reciprocating Internal Combustion Engines (RICE)	X
AAAAA	Lime Manufacturing Plants	X
BBBBB	Semiconductor Manufacturing	X
CCCCC	Coke Ovens: Pushing, Quenching and Battery Stacks	X
DDDDD	Industrial, Commercial, and Institutional Boilers and Process Heaters	
EEEEE	Iron and Steel Foundries	X
FFFFF	Integrated Iron and Steel	X
GGGGG	Site Remediation	X
HHHHH	Miscellaneous Coating Manufacturing	X
IIIII	Mercury Cell Chlor-Alkali Plants	X
JJJJJ	Brick and Structural Clay Products Manufacturing	X
KKKKK	Clay Ceramics Manufacturing	X
LLLLL	Asphalt Roofing and Processing	X
MMMMM	Flexible Polyurethane Foam Fabrication Operation	X
NNNNN	Hydrochloric Acid Production, Fumed Silica Production	X
PPPPP	Engine Test Facilities	X
QQQQQ	Friction Products Manufacturing	X
RRRRR	Taconite Ore Processing	X
SSSSS	Refractory Products Manufacturing	X
TTTTT	Primary Magnesium Refining	X

¹ Program delegated to Louisiana Department of Environmental Quality (LDEQ).

² Federal rules adopted unchanged as of July 1, 2004.

³ Authorities which may not be delegated include: 63.6(g), Approval of Alternative Non-Opacity Emission Standards; 63.6(h)(9), Approval of Alternative Opacity Standards; 63.7(e)(2)(ii) and (f), Approval of Major Alternatives to Test Methods; 63.8(f), Approval of Major Alternatives to Monitoring; 63.10(f), Approval of Major Alternatives to Recordkeeping and Reporting; and all authorities identified in the subparts (e.g., under "Delegation of Authority") that cannot be delegated.

⁴ The standard was previously delegated to LDEQ. The standard was vacated and remanded to EPA by the United States Court of Appeals for the District of Columbia Circuit. See, *Mossville Environmental Action Network v. EPA*, 370 F. 3d 1232 (D.C. Cir. 2004). Because of the D.C. Circuit Court's holding this standard is not delegated to LDEQ at this time.

(20) Maine.

(i) [Reserved]

(ii) Maine Department of Environmental Protection (ME DEP) may implement and enforce alternative requirements in the form of title V permit terms and conditions for Lincoln

Pulp and Paper, located in Lincoln, Maine, for subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry. This action is contingent upon ME DEP including, in title V permits, terms and conditions that are no less

stringent than the federal standard and have been approved by EPA. In addition, the requirement applicable to the source remains the federal section 112 requirement until EPA has approved the alternative permit terms and conditions and the final title V permit is issued.

(iii) Affected area sources within Maine must comply with the Maine Regulations Applicable to Hazardous Air Pollutants (incorporated by reference as specified in §63.14) as described in paragraph (a)(20)(iii)(A) of this section:

(A) The material incorporated into the Maine Department of Environmental Protection regulations at Chapter 125, Perchloroethylene Dry Cleaner Regulation, effective as of June 2, 1991, last amended on June 24, 2009, pertaining to dry cleaning facilities in the State of Maine jurisdiction, and approved under the procedures in §63.93 to be implemented and enforced in place of the Federal NESHAP for Perchloroethylene Dry Cleaning Facilities (subpart M of this part), effective as of July 11, 2008, for area sources only, as defined in §63.320(h).

(1) Authorities not delegated.

(i) Maine is not delegated the Administrator's authority to implement and enforce Maine regulations at Chapter 125, in lieu of those provisions of subpart M of this part which apply to major sources, as defined in §63.320(g).

(ii) Maine is not delegated the Administrator's authority to implement and enforce Maine regulations at Chapter 125, in lieu of those provisions of subpart M of this part which apply to dry cleaning systems installed in a building with a residence between July 13, 2006 and June 24, 2009, as defined in §§63.320(b)(2)(i) and 63.322(o)(4).

(2) [Reserved]

(B) [Reserved]

(21) *Maryland.* (i) Maryland is delegated the authority to implement and enforce all existing and future unchanged 40 CFR part 63 standards at major sources, as defined in 40 CFR part 70, in accordance with the delegation agreement between EPA Region III and the Maryland Department of the Environment, dated November 3, 1999, and any mutually acceptable amendments to that agreement.

(ii) Maryland is delegated the authority to implement and enforce all existing 40 CFR part 63 standards and all future unchanged 40 CFR part 63 standards, if delegation is sought by the Maryland Department of the Environment and approved by EPA Region III, at affected sources which are not located at major sources, as defined in 40 CFR part 70, in accordance with the final rule, dated January 30, 2002, effective April 1, 2002, and any mutually acceptable amendments to the terms described in the direct final rule.

(iii) EPA has granted the Maryland Department of the Environment (MDE) "up-front" approval to implement an Equivalency by Permit (EBP) program under which the MDE may establish and enforce alternative State requirements for MeadWestvaco Company's Luke Mill in lieu of those of the National Emissions Standard for Hazardous Air Pollutants (NESHAP) for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills found at 40 CFR part 63, subpart MM. The MDE may only establish alternative requirements for the Luke Mill which are equivalent to and at least as stringent as the otherwise applicable Federal requirements. The MDE must, in order to establish alternative requirements for the Luke Mill under its EPA approved EBP program: submit to EPA for review pre-draft Clean Air Act (CAA) Title V permit terms specifying alternative requirements which are at least as stringent as the otherwise applicable Federal requirements, obtain EPA's written approval of the alternative pre-draft CAA Title V permit requirements, and issue a CAA Title V permit for the Luke Mill which contains the approved alternative requirements. Until EPA has approved the alternative permit terms and conditions and the MDE has issued a final CAA Title V permit incorporating them, MeadWestvaco Company's Luke Mill will remain subject to the Federal NESHAP requirements found at 40 CFR part 63, subpart MM.

(22) Massachusetts.

(i) [Reserved]

(ii) Affected area sources within Massachusetts must comply with the Massachusetts Regulations Applicable to

Environmental Protection Agency

§ 63.99

Hazardous Air Pollutants (incorporated by reference as specified in §63.14) as described in paragraph (a)(22)(ii)(A) of this section:

(A) The material incorporated into the Massachusetts Department of Environmental Protection regulations at 310 CMR 7.26(10)–(16), Air Pollution Control, effective as of September 5, 2008, corrected March 6, 2009, and 310 CMR 70.00, Environmental Results Program Certification, effective as of December 28, 2007, pertaining to dry cleaning facilities in the Commonwealth of Massachusetts jurisdiction, and approved under the procedures in §63.93 to be implemented and enforced in place of the Federal NESHAP for Perchloroethylene Dry Cleaning Facilities (subpart M of this part), effective as of July 11, 2008, for area sources only, as defined in §63.320(h).

(I) Authorities not delegated.

(i) Massachusetts is not delegated the Administrator's authority to implement and enforce Massachusetts regulations at 310 CMR 7.26(10)–(16) and 310 CMR 70.00, in lieu of those provisions of subpart M of this part which apply to major sources, as defined in §63.320(g).

(ii) Massachusetts is not delegated the Administrator's authority to implement and enforce Massachusetts regulations at 310 CMR 7.26(10)–(16) and 310 CMR 70.00, in lieu of those provisions of subpart M of this part which apply to dry cleaning systems installed in a building with a residence between December 21, 2005 and July 13, 2006, as defined in §§ 63.320(b)(2)(ii) and 63.322(o)(5)(i)–(ii).

(B) [Reserved]

(23)–(24) [Reserved]

(25) *Mississippi*. (i) The following table lists the specific part 63 standards that have been delegated unchanged to the Mississippi Department of Environmental Quality (MDEQ) for all sources. The “X” symbol is used to indicate each subpart that has been delegated. The delegations are subject to all of the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards.

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—MISSISSIPPI¹

	Source category	Subpart	MDEQ
1	HON	F, G, H, I	X
2	Polyvinyl Chloride & Co-polymers VACATED on 5/11/05.	J	
3	Coke Ovens	L	X
4	Dry Cleaners	M	X
5	Chromium Electroplating	N	X
6	EtO Commercial Sterilization	O	X
7	Chromium Cooling Towers	Q	X
8	Gasoline Distribution (stage 1)	R	X
9	Pulp & Paper I	S	X
10	Halogenated Solvent Cleaning	T	X
11	Polymer & Resins 1	U	X
12	Polymer & Resins 2	W	X
13	Secondary Lead Smelters	X	X
14	Marine Tank Vessel Loading	Y	X
15	Phosphoric Acid Mfg	AA	X
16	Phosphate Fertilizers Prod	BB	X
17	Petroleum Refineries	CC	X
18	Offsite Waste & Recovery	DD	X
	Tanks; Level 1	OO	X
	Containers	PP	X
	Surface Impoundments	QQ	X
	Drain Systems	RR	X
	Oil-Water Separators	VV	X
19	Magnetic Tape	EE	X
20	Aerospace Industry	GG	X
21	Oil & Natural Gas Prod	HH	X
	Area Source Requirements >>..		
22	Shipbuilding and Repair	II	X
23	Wood Furniture Mfg	JJ	X
24	Printing & Publishing	KK	X
25	Primary Aluminum	LL	X
26	Pulp & Paper II (Combustion sources)	MM	X

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—MISSISSIPPI¹—Continued

	Source category	Subpart	MDEQ
27	Generic MACT:		
	Control Devices	SS	X
	Eq. Leaks—Level 1	TT	X
	Eq. Leaks—Level 2	UU	X
	Tanks—Level 2	WW	X
28	Generic MACT:		
	Ethylene Mfg	XX & YY	X
	Carbon Black	YY	X
	Spandex Prod	YY	X
	Cyanide Chemical Mfg	YY	X
	Acetal Resins	YY	X
	Acrylic/Modacrylic Fibers	YY	X
	Hydrogen Fluoride Prod	YY	X
	Polycarbonates Prod	YY	X
29	Steel Pickeling	CCC	X
30	Mineral Wool Prod	DDD	X
31	Hazardous Waste Combustion (Phase I)	EEE	X
32	Boilers that burn Haz. Waste (Phase II)	EEE	X
33	HCL Prod. Furnaces burning Haz. Waste (P II)	EEE	X
34	Pharmaceutical Prod	GGG	X
35	Nat. Gas Transmission & Storage	HHH	X
36	Flexible Polyurethane Foam Prod	III	X
37	Polymer & Resins 4	JJJ	X
38	Portland Cement	LLL	X
39	Pesticide Active Ingredients	MMM	X
40	Wool Fiberglass	NNN	X
41	Polymer & Resins 3 (Amino & Phenolic)	OOO	X
42	Polyether Polyols Prod	PPP	X
43	Primary Copper	QQQ	X
44	Secondary Aluminum Prod	RRR	X
45	Primary Lead Smelting	TTT	X
46	Petro Refineries (FCC units)	UUU	X
47	POTW	VVV	X
48	Ferroalloys	XXX	X
49	Municipal Landfills	AAAA	X
50	Nutritional Yeast	CCCC	X
51	Plywood and Composite Wood Prod. (Partial Vacatur Oct. 07).	DDDD	X
52	Organic Liquids Distribution (non-gas)	EEEE	X
53	Misc. Organic NESHAP	FFFF	X
54	Vegetable Oil	GGGG	X
55	Wet Formed Fiberglass	HHHH	X
56	Auto & Light Duty Truck (coating)	IIII	X
57	Paper & Other Webs	JJJJ	X
58	Metal Can (coating)	KKKK	X
59	Misc. Metal Parts (coating)	MMMM	X
60	Large Appliances (coating)	NNNN	X
61	Printing, Coating, & Dyeing Fabrics	OOOO	X
62	Plastic Parts & Products (coating)	PPPP	X
63	Wood Building Products	QQQQ	X
64	Metal Furniture (coating)	RRRR	X
65	Metal Coil (coating)	SSSS	X
66	Leather Tanning & Finishing	TTTT	X
67	Cellulose Ethers Prod. Misc. Viscose Processes	UUUU	X
68	Boat Manufacturing	VVVV	X
69	Reinforced Plastic Composites	WWWW	X
70	Rubber Tire Mfg	XXXX	X
71	Stationary Combustion Turbines	YYYY	X
72	Reciprocating Int. Combustion Engines	ZZZZ	X
	Area Source Requirements >>..		
73	Lime Manufacturing	AAAAA	X
74	Semiconductor Production	BBBBB	X
75	Coke Ovens: (Push/Quench/Battery/Stacks)	CCCCC	X
76	Industrial/Commercial/Institutional Boilers & Process Heaters, VACATED on 7/30/07.	DDDDD	
77	Iron Foundries	EEEEE	X
78	Integrated Iron & Steel	FFFFF	X
79	Site Remediation	GGGGG	X
80	Misc. Coating Manufacturing	HHHHH	X
81	Mercury Cell Chlor-Alkali	IIIII	X
82	Brick & Structural Clay Products, VACATED on 6/18/07.	JJJJJ	

Environmental Protection Agency

§ 63.99

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—MISSISSIPPI¹—Continued

	Source category	Subpart	MDEQ
83	Clay Ceramics Manufacturing, VACATED on 6/18/07	KKKKK	
84	Asphalt Roofing & Processing	LLLLL	X
85	Flex. Polyurethane Foam Fabrication	MMMMM	X
86	Hydrochloric Acid Prod/Fumed Silica	NNNNN	X
87	Engine & Rocket Test Facilities	PPPPP	X
88	Friction Materials Manufacturing	QQQQQ	X
89	Taconite Iron Ore	RRRRR	X
90	Refractories	SSSSS	X
91	Primary Magnesium	TTTTT	X
Area Source Rules			
92	Hospital Sterilizers	WWWWW	X
93	Stainless and Nonstainless Steel Mfg. Electric Arc Furnaces.	YYYYY	X
94	Iron & Steel foundries	ZZZZZ	X
95	Gasoline Distribution—Bulk	BBBBBB	X
96	Gasoline Dispensing Facilities	CCCCC	X
97	PVC & Copolymers Prod.	DDDDDD	X
98	Primary Copper	EEEEEE	X
99	Secondary Copper Smelting	FFFFFF	X
100	Primary Nonferrous Metals	GGGGGG	X
101	Paint Stripping		
101	Auto-Body Refinishing	HHHHHH	
101	Plastic Parts & Prod. (coating)		
102	Acrylic/Modacrylic Fibers Prod	LLLLLL	X
103	Carbon Black Prod	MMMMMM	X
104	Chemical Mfg. Chrom	NNNNNN	X
105	Flex. Polyurethane Foam Fab.		
105	Flex. Polyurethane Foam Prod	OOOOOO	X
106	Lead Acid Battery Mfg.	PPPPPP	X
107	Wood Preserving	QQQQQQ	X
108	Clay Ceramics Mfg	RRRRRR	X
109	Glass Mfg	SSSSSS	X
110	Secondary Nonferrous Metals	TTTTTT	X
110	Plating and Polishing	WWWWWW	X
112	Heating Eq. Mfg	XXXXXX	X
112	Industrial Mach. & Eq. Finishing.		
112	Elect. & Electronics Eq. Finishing.		
112	Fabricated Metal Prod.		
112	Fabricated Plate Work (Boiler Shop).		
112	Fabricated Structural Metal Mfg.		
112	Iron and Steel Forging.		
112	Primary Metals Prod. Mfg.		
112	Valves and Pipe Fittings Mfg.		
113	Ferroalloys Production	YYYYYY	
113	Ferro/Silico Manganese		

¹ State program approved on December 28, 1994. Delegation table last updated on November 3, 2008.

(ii) [Reserved] air pollution control agencies in the
 (26)–(28) [Reserved] State of Nevada. The (X) symbol is
 (29) *Nevada.* (i) The following table used to indicate each category that has
 lists the specific part 63 standards that been delegated.
 have been delegated unchanged to the

DELEGATION STATUS FOR PART 63 STANDARDS—NEVADA

Subpart	Description	NDEP ¹	Washoe ²	Clark ³
A	General Provisions	X	X	X
F	Synthetic Organic Chemical Manufacturing Industry	X		X
G	Synthetic Organic Chemical Manufacturing Industry: Process Vents, Storage Vessels, Transfer Operations, and Wastewater.	X		X
H	Organic Hazardous Air Pollutants: Equipment Leaks.	X		X

DELEGATION STATUS FOR PART 63 STANDARDS—NEVADA—Continued

Subpart	Description	NDEP ¹	Washoe ²	Clark ³
I	Organic Hazardous Air Pollutants: Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.	X	.....	X
J	Polyvinyl Chloride and Copolymers Production	X	.....	X
L	Coke Oven Batteries	X	.....	X
M	Perchloroethylene Dry Cleaning	X	X	X
N	Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.	X	X	X
O	Ethylene Oxide Sterilization Facilities	X	X	X
Q	Industrial Process Cooling Towers	X	.....	X
R	Gasoline Distribution Facilities	X	X	X
S	Pulp and Paper	X	.....	X
T	Halogenated Solvent Cleaning	X	X	X
U	Group I Polymers and Resins	X	.....	X
W	Epoxy Resins Production and Non-Nylon Polyamides Production.	X	.....	X
X	Secondary Lead Smelting	X	.....	X
Y	Marine Tank Vessel Loading Operations	X	.....	X
AA	Phosphoric Acid Manufacturing Plants	X	.....	X
BB	Phosphate Fertilizers Production Plants	X	.....	X
CC	Petroleum Refineries	X	.....	X
DD	Off-Site Waste and Recovery Operations	X	.....	X
EE	Magnetic Tape Manufacturing Operations	X	.....	X
GG	Aerospace Manufacturing and Rework Facilities	X	.....	X
HH	Oil and Natural Gas Production Facilities	X	.....	X
II	Shipbuilding and Ship Repair (Surface Coating)	X	.....	X
JJ	Wood Furniture Manufacturing Operations	X	.....	X
KK	Printing and Publishing Industry	X	X	X
LL	Primary Aluminum Reduction Plants	X	.....	X
MM	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills.	X	.....	X
OO	Tanks—Level 1	X	.....	X
PP	Containers	X	.....	X
QQ	Surface Impoundments	X	.....	X
RR	Individual Drain Systems	X	.....	X
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.	X	.....	X
TT	Equipment Leaks—Control Level 1	X	.....	X
UU	Equipment Leaks—Control Level 2	X	.....	X
VV	Oil-Water Separators and Organic-Water Separators.	X	.....	X
WW	Storage Vessels (Tanks)—Control Level 2	X	.....	X
XX	Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations.	X	.....	X
YY	Generic MACT Standards	X	.....	X
CCC	Steel Pickling	X	.....	X
DDD	Mineral Wool Production	X	.....	X
EEE	Hazardous Waste Combustors	X	.....	X
GGG	Pharmaceuticals Production	X	.....	X
HHH	Natural Gas Transmission and Storage Facilities	X	.....	X
III	Flexible Polyurethane Foam Production	X	.....	X
JJJ	Group IV Polymers and Resins	X	.....	X
LLL	Portland Cement Manufacturing Industry	X	.....	X
MMM	Pesticide Active Ingredient Production	X	.....	X
NNN	Wool Fiberglass Manufacturing	X	.....	X
OOO	Manufacture of Amino/Phenolic Resins	X	.....	X
PPP	Polyether Polyols Production	X	.....	X
QQQ	Primary Copper Smelting	X	.....	X
RRR	Secondary Aluminum Production	X	.....	X
TTT	Primary Lead Smelting	X	.....	X
UUU	Petroleum Refineries: Catalytic Cracking, Catalytic Reforming, and Sulfur Recovery Units.	X	.....	X
VVV	Publicly Owned Treatment Works	X	X	X
XXX	Ferroalloys Production	X	.....	X
AAAA	Municipal Solid Waste Landfills	X	.....	X
CCCC	Manufacturing of Nutritional Yeast	X	.....	X
DDDD	Plywood and Composite Wood Products	X	.....	X
EEEE	Organic Liquids Distribution (non-gasoline)	X	X	X
FFFF	Miscellaneous Organic Chemical Manufacturing	X	.....	X
GGGG	Solvent Extraction for Vegetable Oil Production	X	.....	X

Environmental Protection Agency

§ 63.99

DELEGATION STATUS FOR PART 63 STANDARDS—NEVADA—Continued

Subpart	Description	NDEP ¹	Washoe ²	Clark ³
HHHH	Wet-Formed Fiberglass Mat Production	X	.....	X
IIII	Surface Coating of Automobiles and Light-Duty Trucks.	X	.....	X
JJJJ	Paper and Other Web Coating	X	.....	X
KKKK	Surface Coating of Metal Cans	X	.....	X
MMMM	Miscellaneous Metal Parts and Products	X	.....	X
NNNN	Large Appliances	X	.....	X
OOOO	Printing, Coating, and Dyeing of Fabrics and Other Textiles.	X	.....	X
PPPP	Surface Coating of Plastic Parts and Products	X	.....	X
QQQQ	Wood Building Products	X	.....	X
RRRR	Surface Coating of Metal Furniture	X	.....	X
SSSS	Surface Coating of Metal Coil	X	.....	X
TTTT	Leather Finishing Operations	X	.....	X
UUUU	Cellulose Products Manufacturing	X	.....	X
VVVV	Boat Manufacturing	X	.....	X
WWWW	Reinforced Plastics Composites Production	X	X	X
XXXX	Tire Manufacturing	X	.....	X
YYYY	Stationary Combustion Turbines	X	.....	X
ZZZZ	Stationary Reciprocating Internal Combustion Engines.	X	X	X
AAAA	Lime Manufacturing Plants	X	.....	X
BBBB	Semiconductor Manufacturing	X	.....	X
CCCC	Coke Oven: Pushing, Quenching and Battery Stacks.	X	.....	X
DDDD	Industrial, Commercial, and Institutional Boiler and Process Heaters.	X	.....	X
EEEE	Iron and Steel Foundries	X	.....	X
FFFF	Integrated Iron and Steel	X	.....	X
GGGG	Site Remediation	X	.....	X
HHHH	Miscellaneous Coating Manufacturing	X	.....	X
IIII	Mercury Emissions from Mercury Cell Chlor-Alkali Plants.	.....	.....	X
JJJJ	Brick and Structural Clay Products Manufacturing ..	X	.....	X
KKKK	Clay Ceramics Manufacturing	X	.....	X
LLLL	Asphalt Roofing and Processing	X	.....	X
MMMM	Flexible Polyurethane Foam Fabrication Operation ..	X	.....	X
NNNN	Hydrochloric Acid Production	X	.....	X
PPPP	Engine Test Cells/Stands	X	.....	X
QQQQ	Friction Products Manufacturing	X	.....	X
RRRR	Taconite Iron Ore Processing .....	.....	.....	X
SSSS	Refractory Products Manufacturing	X	.....	X
TTTT	Primary Magnesium Refining .....	.....	.....	X
WWWW	Hospital Ethylene Oxide Sterilizers	X	X	X
YYYY	Electric Arc Furnace Steelmaking Facilities (area sources).	X	.....	X
ZZZZ	Iron and Steel Foundries Area Sources	X	.....	X
BBBBB	Gasoline Distribution Bulk Terminals, Bulk Plants and Pipeline Facilities.	X	X	X
CCCCC	Gasoline Dispensing Facilities	X	X	X
DDDDD	Polyvinyl Chloride and Copolymers Production Area Sources.	X	.....	X
EEEEE	Primary Copper Smelting Area Sources	X	.....	X
FFFFF	Secondary Copper Smelting Area Sources	X	.....	X
GGGGG	Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium.	X	.....	X
HHHHH	Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources.	X	X	X
JJJJJ	Industrial, Commercial, and Institutional Boilers and Process Heaters—Area Sources.	X	.....	.....
LLLLL	Acrylic and Modacrylic Fibers Production Area Sources.	X	.....	X
MMMMM	Carbon Black Production Area Sources	X	.....	X
NNNNN	Chemical Manufacturing Area Sources: Chromium Compounds.	X	.....	X
OOOOO	Flexible Polyurethane Foam Production and Fabrication Area Sources.	X	X	X
PPPPP	Lead Acid Battery Manufacturing Area Sources	X	.....	X
QQQQQ	Wood Preserving Area Sources	X	.....	X
RRRRR	Clay Ceramics Manufacturing Area Sources	X	.....	X
SSSSS	Glass Manufacturing Area Sources	X	.....	X
TTTTT	Secondary Nonferrous Metals Processing Area Sources.	X	.....	X

DELEGATION STATUS FOR PART 63 STANDARDS—NEVADA—Continued

Subpart	Description	NDEP ¹	Washoe ²	Clark ³
VVVVVV	Chemical Manufacturing Industry—Area Sources ...	X	.....
WWWWWW	Area Source Standards for Plating and Polishing Operations.	X	X	X
XXXXXX	Area Source Standards for Nine Metal Fabrication and Finishing Source Categories.	X	X	X
YYYYYY	Area Sources: Ferroalloys Production Facilities .....	.....	.....	X
ZZZZZZ	Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries.	X	.....	X
AAAAAA	Asphalt Processing and Asphalt Roofing Manufacturing—Area Sources.	X	.....
BBBBBB	Chemical Preparations Industry—Area Sources	X	.....
CCCCCC	Paint and Allied Products Manufacturing—Area Sources.	X	.....
EEEEEE	Gold Mine Ore Processing and Production—Area Sources.	X	.....

¹ Nevada Division of Environmental Protection.² Washoe County Air Quality Management Division.³ Clark County Department of Air Quality Management.

(ii) [Reserved]

(30) *New Hampshire.* (i) New Hampshire is delegated the authority to implement and enforce all existing and future unchanged 40 CFR part 63 standards in accordance with the delegation procedures in Attachment II of the delegation request letter dated May 9, 2002 submitted by NH DES to EPA and any mutually acceptable amendments to those delegation procedures.

(ii) New Hampshire Department of Environmental Services (NH DES) may implement and enforce alternative requirements in the form of title V permit terms and conditions for Groveton Paper Board Inc. of Groveton, NH and Pulp & Paper of America, LLC of Berlin, NH for subpart S—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry and subpart MM—National Emissions Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite and Stand-Alone Semi-chemical Pulp Mills. This action is contingent upon NH DES including, in title V permits, terms and conditions that are no less stringent than the Federal standard and have been approved by EPA. In addition, the requirement applicable to the source remains the Federal section 112 requirement until EPA has approved the alternative permit terms and conditions and the final title V permit is issued.

(iii) Affected inactive waste disposal sites not operated after July 9, 1981 must comply with the New Hampshire

Regulations Applicable to Hazardous Air Pollutants, March, 2003, (incorporated by reference as specified in § 63.14) as described as follows:

(A) The material incorporated in the New Hampshire Regulations Applicable to Hazardous Air Pollutants, March, 2003, (incorporated by reference as specified in § 63.14) pertains to inactive waste disposal sites not operated after July 9, 1981 in the State of New Hampshire's jurisdiction, and has been approved under the procedures in 40 CFR 63.93 to be implemented and enforced in place of the Federal NESHAPs for Inactive Waste Disposal Sites (40 CFR 61.151).

(iv) Affected asbestos facilities (i.e., facilities found under 40 CFR part 61, subpart M, except those listed under paragraph (a)(30)(iii) of this section), must comply with the New Hampshire Regulations Applicable to Hazardous Air Pollutants, September 2006, (incorporated by reference as specified in § 63.14) as follows:

(A) The material incorporated in the New Hampshire Regulations Applicable to Hazardous Air Pollutants, September 2006, (incorporated by reference as specified in § 63.14) pertains to those affected asbestos facilities in the State of New Hampshire's jurisdiction, and has been approved under the procedures in 40 CFR 63.92 to be implemented and enforced in place of the federal NESHAPs found at 40 CFR part 61, subpart M (except for those listed under paragraph (a)(30)(iii) of this section).

Environmental Protection Agency

§ 63.99

(B) [Reserved]

(31) *New Jersey*. (i) Affected sources must comply with the Toxic Catastrophe Prevention Act Program (TCPA), (July 20, 1998), (incorporated by reference as specified in § 63.14) as described in paragraph (a)(31)(i)(A) of this section:

(A) Except for authorities identified as not being delegated, the regulations incorporated in New Jersey's "Toxic Catastrophe Prevention Act Program," Title 7, Chapter 31, of the New Jersey Administrative Code: Subchapter 1, "General Provisions" (sections 1.1 to 1.10 except for the definition of "What if Checklist"), Subchapter 2, "Hazard Assessment," Subchapter 3, "Minimum Requirements for a Program 2 TCPA Risk Management Program," Subchapter 4, "Minimum Requirements for a Program 3 TCPA Risk Management Program," Subchapter 5, "Emergency Response," Subchapter 6, "Extraordinarily Hazardous Substances," Subchapter 7, "Risk Management Plan and TCPA Submission," and Subchapter 8, "Other Federal Requirements," (effective July 20, 1998), pertain to the sources affected by 40 CFR part 68 and have been approved under the procedures in §§ 63.91, 63.93 and 63.95 to be im-

plemented and enforced in place of 40 CFR part 68, Subparts A through H, as may be amended.

(J) Authorities not delegated:

(i) The New Jersey Department of Environmental Protection is not delegated the Administrator's authority to implement and enforce New Jersey's Toxic Catastrophe Prevention Act Program, Title 7, Chapter 31, of the New Jersey Administrative Code, in lieu of the provisions of 40 CFR part 68 as they apply to the regulation of processes that are covered only because they contain regulated quantities of liquid petroleum gases (LPG) regulated under the New Jersey Liquified Petroleum Gas Act of 1950 (N.J.S.A. 21:1B).

(ii) Pursuant to § 63.90(c) the New Jersey Department of Environmental Protection is not delegated the Administrator's authority to add or delete substances from the list of substances established under section 112(r) and set forth in 40 CFR 68.130.

(32) *New Mexico*. (i) The following table lists the delegation status of specific part 63 subparts that have been delegated unchanged to state and local air pollution agencies in New Mexico. The "X" symbol is used to indicate each subpart that has been delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF NEW MEXICO
[Excluding Indian Country]

Subpart	Source category	NMED 1,2	ABCAQCB 1,3
A	General Provisions ³	X	X
D	Early Reductions	X	X
F	Hazardous Organic NESHAP (HON)—Synthetic Organic Chemical Manufacturing Industry (SOCMI)	X	X
G	HON—SOCMI Process Vents, Storage Vessels, Transfer Operations and Wastewater	X	X
H	HON—Equipment Leaks	X	X
I	HON—Certain Processes Negotiated Equipment Leak Regulation	X	X
J	Polyvinyl Chloride and Copolymers Production	⁴ X	(⁴)
K	(Reserved)		
L	Coke Oven Batteries	X	X
M	Perchloroethylene Dry Cleaning	X	X
N	Chromium Electroplating and Chromium Anodizing Tanks	X	X
O	Ethylene Oxide Sterilizers	X	X
P	(Reserved)		
Q	Industrial Process Cooling Towers	X	X
R	Gasoline Distribution	X	X
S	Pulp and Paper Industry	X	X
T	Halogenated Solvent Cleaning	X	X
U	Group I Polymers and Resins	X	X
V	(Reserved)		
W	Epoxy Resins Production and Non-Nylon Polyamides Production	X	X
X	Secondary Lead Smelting	X	X
Y	Marine Tank Vessel Loading	X	X
Z	(Reserved)		
AA	Phosphoric Acid Manufacturing Plants	X	X
BB	Phosphate Fertilizers Production Plants	X	X
CC	Petroleum Refineries	X	X
DD	Off-Site Waste and Recovery Operations	X	X

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF NEW MEXICO—Continued
[Excluding Indian Country]

Subpart	Source category	NMED ^{1,2}	ABCAQCB ^{1,3}
EE	Magnetic Tape Manufacturing	X	X
FF	(Reserved)		
GG	Aerospace Manufacturing and Rework Facilities	X	X
HH	Oil and Natural Gas Production Facilities	X	X
II	Shipbuilding and Ship Repair Facilities	X	X
JJ	Wood Furniture Manufacturing Operations	X	X
KK	Printing and Publishing Industry	X	X
LL	Primary Aluminum Reduction Plants	X	X
MM	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfide, and Stand-Alone Semichemical Pulp Mills.		X
NN	(Reserved)		
OO	Tanks—Level 1	X	X
PP	Containers	X	X
QQ	Surface Impoundments	X	X
RR	Individual Drain Systems	X	X
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.	X	X
TT	Equipment Leaks—Control Level 1	X	X
UU	Equipment Leaks—Control Level 2 Standards	X	X
VV	Oil-Water Separators and Organic-Water Separators	X	X
WW	Storage Vessels (Tanks)—Control Level 2	X	X
XX	(Reserved)		
YY	Generic Maximum Achievable Control Technology Standards	X	X
ZZ-BBB	(Reserved)		
CCC	Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration.	X	X
DDD	Mineral Wool Production	X	X
EEE	Hazardous Waste Combustors	X	X
FFF	(Reserved)		
GGG	Pharmaceuticals Production	X	X
HHH	Natural Gas Transmission and Storage Facilities	X	X
III	Flexible Polyurethane Foam Production	X	X
JJJ	Group IV Polymers and Resins	X	X
KKK	(Reserved)		
LLL	Portland Cement Manufacturing	X	X
MMM	Pesticide Active Ingredient Production	X	X
NNN	Wool Fiberglass Manufacturing	X	X
OOO	Amino/Phenolic Resins	X	X
PPP	Polyether Polyols Production	X	X
QQQ	Primary Copper Smelting	X	X
RRR	Secondary Aluminum Production	X	X
SSS	(Reserved)		
TTT	Primary Lead Smelting	X	X
UUU	Petroleum Refineries—Catalytic Cracking Units, Catalytic Reforming Units and Sulfur Recovery Plants.	X	X
VVV	Publicly Owned Treatment Works (POTW)	X	X
WWW	(Reserved)		
XXX	Ferroalloys Production: Ferromanganese and Silicomanganese ...	X	X
AAAA	Municipal Solid Waste Landfills		X
CCCC	Nutritional Yeast Manufacturing	X	X
EEEE	Organic Liquids Distribution		X
GGGG	Solvent Extraction for Vegetable Oil Production	X	X
HHHH	Wet Formed Fiberglass Mat Production	X	X
JJJJ	Paper and other Web (Surface Coating)		X
KKKK	Metal Can (Surface Coating)		X
NNNN	Surface Coating of Large Appliances	X	X
OOOO	Fabric Printing Coating and Dyeing		X
PPPP	Plastic Parts (Surface Coating)		X
QQQQ	Surface Coating of Wood Building Products		X
RRRR	Surface Coating of Metal Furniture		X
SSSS	Surface Coating for Metal Coil	X	X
TTTT	Leather Finishing Operations	X	X
UUUU	Cellulose Production Manufacture	X	X
VVVV	Boat Manufacturing	X	X
WWWW	Reinforced Plastic Composites Production		X
XXXX	Tire Manufacturing	X	X
YYYY	Combustion Turbines		X
AAAAA	Lime Manufacturing Plants		X
BBBBB	Semiconductor Manufacturing		X
CCCCC	Coke Ovens: Pushing, Quenching and Battery Stacks	X	X
DDDDD	Industrial/Commercial/Institutional Boilers and Process Heaters ...		

Environmental Protection Agency

§ 63.99

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF NEW MEXICO—Continued [Excluding Indian Country]

Subpart	Source category	NMED ^{1,2}	ABCAQCB ^{1,3}
EEEE	Iron Foundries		X
FFFF	Integrated Iron and Steel		X
GGGG	Site Remediation		X
HHHH	Miscellaneous Coating Manufacturing		X
IIII	Mercury Cell Chlor-Alkali Plants		X
JJJJ	Brick and Structural Clay Products Manufacturing		X
KKKK	Clay Ceramics Manufacturing		X
LLLL	Asphalt Roofing and Processing		X
MMMM	Flexible Polyurethane Foam Fabrication Operation		X
NNNN	Hydrochloric Acid Production, Fumed Silica Production		X
PPPP	Engine Test Facilities		X
QQQQ	Friction Products Manufacturing		X
RRRR	Taconite Iron Ore Processing		X
SSSS	Refractory Products Manufacture		X
TTTT	Primary Magnesium Refining		X

¹ Authorities that cannot be delegated include § 63.6(g), Approval of Alternative Non-Opacity Standards; § 63.6(h)(9), Approval of Alternative Opacity Standards; § 63.7(e)(2)(ii) and (f), Approval of Major Alternatives to Test Methods; § 63.8(f), Approval of Major Alternatives to Monitoring; and § 63.10(f), Approval of Major Alternatives to Recordkeeping and Reporting. In addition, all authorities identified in the certain subparts that EPA has designated that cannot be delegated.

² Program delegated to New Mexico Environment Department (NMED) for standards promulgated by EPA, as amended in the FEDERAL REGISTER through September 1, 2002.

³ Program delegated to Albuquerque-Bernalillo County Air Quality Control Board (ABCAQCB) for standards promulgated by EPA, as amended in the FEDERAL REGISTER through July 1, 2004.

⁴ This standard was originally delegated to NMED on February 9, 2004. The ABCAQCB has adopted the subpart unchanged and applied for delegation of the standard. The standard was vacated and remanded to EPA by the United States Court of Appeals for the District of Columbia Circuit on June 18, 2004, and EPA's petition for rehearing was denied on April 15, 2005. The standard is not being delegated at this time to ABCAQCB.

(33) [Reserved]

(34) *North Carolina.* (i) The following table lists the specific part 63 standards that have been delegated unchanged to the North Carolina Department of Environment and Natural Resources (NCDENR) for all sources. The "X" symbol is used to indicate each subpart that has been delegated. The

delegations are subject to all of the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards.

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—NORTH CAROLINA ¹

Source category	Subpart	NCDENR	FCEAD ²	MCDEP ³	WNC ⁴
HON	F, G, H, I	X	X	X	X
Polyvinyl Chloride & Co-polymers VACATED on 5/11/05.	J				
Coke Ovens	L	X	X	X	X
Dry Cleaners	M	X	X	X	X
Chromium Electroplating	N	X	X	X	X
EtO Commercial Sterilization	O	X	X	X	X
Chromline Cooling Towers	Q	X	X	X	X
Gasoline Distribution (stage 1)	R	X	X	X	X
Pulp & Paper I	S	X	X	X	X
Halogenated Solvent Cleaning	T	X	X	X	X
Polymer & Resins 1	U	X	X	X	X
Polymer & Resins 2	W	X	X	X	X
Secondary Lead Smelters	X	X	X	X	X
Marine Tank Vessel Loading	Y	X	X	X	X
Phosphoric Acid Mfg	AA	X	X	X	X
Phosphate Fertilizers Prod	BB	X	X	X	X
Petroleum Refineries	CC	X	X	X	X
Offsite Waste & Recovery	DD	X	X	X	X
Tanks; Level 1	OO	X	X	X	X
Containers	PP	X	X	X	X
Surface Impoundments	QQ	X	X	X	X
Drain Systems	RR	X	X	X	X
Oil-Water Separators	VV	X	X	X	X
Magnetic Tape	EE	X	X	X	X
Aerospace Industry	GG	X	X	X	X

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—NORTH CAROLINA¹—Continued

Source category	Subpart	NCDENR	FCEAD ²	MCDEP ³	WNC ⁴
Oil & Natural Gas Prod	HH	X	X	X	X
Shipbuilding and Repair	II	X	X	X	X
Wood Furniture Mfg	JJ	X	X	X	X
Printing & Publishing	KK	X	X	X	X
Primary Aluminum	LL	X	X	X	X
Pulp & Paper II (Combustion sources)	MM	X	X	X	X
Generic MACT					
Control Devices	SS	X	X	X	X
Eq. Leaks—Level 1	TT	X	X	X	X
Eq. Leaks—Level 2	UU	X	X	X	X
Tanks—Level 2	WW	X	X	X	X
Generic MACT					
Ethylene Mfg	XX & YY	X	X	X	X
Carbon Black	YY	X	X	X	X
Spandex Prod	YY	X	X	X	X
Cyanide Chemical Mfg	YY	X	X	X	X
Acetal Resins	YY	X	X	X	X
Acrylic/Modacrylic Fibers	YY	X	X	X	X
Hydrogen Fluoride Prod	YY	X	X	X	X
Polycarbonates Prod	YY	X	X	X	X
Steel Pickeling	CCC	X	X	X	X
Mineral Wool Prod	DDD	X	X	X	X
Hazardous Waste Combustion (Phase I)	EEE	X	X	X	X
Boilers that burn Haz. Waste (Phase II)	EEE	X	X	X	X
HCL Prod. Furnaces burning Haz. Waste (P II).	EEE	X	X	X	X
Pharmaceutical Prod	GGG	X	X	X	X
Nat. Gas Transmission & Storage	HHH	X	X	X	X
Flexible Polyurethane Foam Prod	III	X	X	X	X
Polymer & Resins 4	JJJ	X	X	X	X
Portland Cement	LLL	X	X	X	X
Pesticide Active Ingredients	MMM	X	X	X	X
Wool Fiberglass	NNN	X	X	X	X
Polymer & Resins 3 (Amino & Phenolic)	OOO	X	X	X	X
Polyether Polyols Prod	PPP	X	X	X	X
Primary Copper	QQQ	X	X	X	X
Secondary Aluminum Prod	RRR	X	X	X	X
Primary Lead Smelting	TTT	X	X	X	X
Petro Refineries (FCC units)	UUU	X	X	X	X
POTW	VVV	X	X	X	X
Ferroalloys	XXX	X	X	X	X
Municipal Landfills	AAAA	X	X	X	X
Nutritional Yeast	CCCC	X	X	X	X
Plywood and Composite Wood Prod. (Partial Vacatur Oct. 07).	DDDD	X	X	X	X
Organic Liquids Distribution (non-gas)	EEEE	X	X	X	X
Misc. Organic NESHAP	FFFF	X	X	X	X
Vegetable Oil	GGGG	X	X	X	X
Wet Formed Fiberglass	HHHH	X	X	X	X
Auto & Light Duty Truck (coating)	IIII	X	X	X	X
Paper & Other Webs	JJJJ	X	X	X	X
Metal Can (coating)	KKKK	X	X	X	X
Misc. Metal Parts (coating)	MMMM	X	X	X	X
Large Appliances (coating)	NNNN	X	X	X	X
Printing, Coating, & Dyeing Fabrics	OOOO	X	X	X	X
Plastic Parts & Products (coating)	PPPP	X	X	X	X
Wood Building Products	QQQQ	X	X	X	X
Metal Furniture (coating)	RRRR	X	X	X	X
Metal Coil (coating)	SSSS	X	X	X	X
Leather Tanning & Finishing	TTTT	X	X	X	X
Cellulose Ethers Prod. Misc. Viscose Processes.	UUUU	X	X	X	X
Boat Manufacturing	VVVV	X	X	X	X
Reinforced Plastic Composites	WWWW	X	X	X	X
Rubber Tire Mfg	XXXX	X	X	X	X
Stationary Combustion Turbines	YYYY	X	X	X	X
Reciprocating Int. Combustion Engines	ZZZZ	X	X	X	X
Lime Manufacturing	AAAAA	X	X	X	X
Semiconductor Production	BBBBB	X	X	X	X
Coke Ovens: (Push/Quench/Battery/Stacks) ..	CCCCC	X	X	X	X

Environmental Protection Agency

§ 63.99

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—NORTH CAROLINA¹—Continued

Source category	Subpart	NCDENR	FCEAD ²	MCDEP ³	WNC ⁴
Industrial/Commercial/Institutional	DDDDD				
Boilers & Process Heaters, VACATED on 7/30/07.					
Iron Foundries	EEEE	X	X	X	X
Integrated Iron & Steel	FFFF	X	X	X	X
Site Remediation	GGGG	X	X	X	X
Misc. Coating Manufacturing	HHHH	X	X	X	X
Mercury Cell Chlor-Alkali	IIII	X	X	X	X
Brick & Structural Clay Products, VACATED on 6/18/07.	JJJJ				
Clay Ceramics Manufacturing, VACATED on 6/18/07.	KKKK				
Asphalt Roofing & Processing	LLLL	X	X	X	X
Flex. Polyurethane Foam Fabrication	MMMM	X	X	X	X
Hydrochloric Acid Prod/Fumed Silica	NNNN	X	X	X	X
Engine & Rocket Test Facilities	PPPP	X	X	X	X
Friction Materials Manufacturing	QQQQ	X	X	X	X
Taconite Iron Ore	RRRR	X	X	X	X
Refractories	SSSS	X	X	X	X
Primary Magnesium	TTTT	X	X	X	X
Area Source Rules					
Hospital Sterilizers	WWWWW	X	X	X	X
Stainless and Nonstainless Steel Mfg Electric Arc Furnaces.	YYYY	X	X	X	X
Iron & Steel foundries	ZZZZ	X	X	X	X
Gasoline Distribution—Bulk	BBBBB	X	X	X	X
Gasoline Dispensing Facilities	CCCCC	X	X	X	X
PVC & Copolymers Prod	DDDDD	X	X	X	X
Primary Copper	EEEE	X	X	X	X
Secondary Copper Smelting	FFFFF	X	X	X	X
Primary Nonferrous Metals	GGGGG	X	X	X	X
Paint Stripping.					
Auto-Body Refinishing	HHHHH	X	X	X	X
Plastic Parts & Prod. (coating).					
Acrylic/Modacrylic Fibers Prod	LLLLL	X	X	X	X
Carbon Black Prod	MMMMM	X	X	X	X
Chemical Mfg. Chrom	NNNNN	X	X	X	X
Flex. Polyurethane Foam Fab	OOOOO	X	X	X	X
Flex. Polyurethane Foam Prod.					
Lead Acid Battery Mfg	PPPPP	X	X	X	X
Wood Preserving	QQQQQ	X	X	X	X
Clay Ceramics Mfg	RRRRR	X	X	X	X
Glass Mfg	SSSSS	X	X	X	X
Secondary Nonferrous Metals	TTTTT	X	X	X	X
Plating and Polishing	WWWW- WW	X	X	X	X
Industrial Mach. & Eq. Finishing	XXXXX	X	X	X	X
Elect. & Electronics Eq. Finishing.					
Fabricated Metal Prod.					
Fabricated Plate Work (Boiler Shop).					
Fabricated Structural Metal Mfg.					
Heating Eq. Mfg.					
Iron and Steel Forging.					
Primary Metals Prod. Mfg.					
Valves and Pipe Fittings Mfg.					
Ferroalloys Production	YYYYY	X	X	X	X
Ferro/Silico Manganese.					

¹ State program approved on August 31, 2001. Delegation table last updated on February 23, 2009.

² Forsyth County Environmental Affairs Department.

³ Mecklenburg County Department of Environmental Protection.

⁴ Western North Carolina Regional Air Quality Agency.

(ii) North Carolina Department of Environment and Natural Resources (NC DENR) may implement and enforce alternative requirements in the form of title V permit terms and conditions for International Paper Riegelwood mill, Riegelwood, North Carolina; International Paper Roanoke

Rapids mill, Roanoke Rapids, North Carolina; Blue Ridge Paper Products, Canton, North Carolina; Weyerhaeuser New Bern facility, New Bern, North Carolina; and Weyerhaeuser Plymouth facility, Plymouth, North Carolina, for Subpart S of this Part—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry and Subpart MM of this Part—National Emissions Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite and Stand-alone Semi-chemical Pulp Mills. This action is contingent upon NC DENR including, in title V permits, terms and conditions that are no less stringent than the Federal standard. In addition, the requirements applicable to the sources remain the Federal section 112 requirements until EPA has approved the alternative permit terms and conditions and the final title V permit is issued.

(iii) North Carolina Department of Environment and Natural Resources (NC DENR) may implement and enforce alternative requirements in the form of title V permit terms and conditions for New South Lumber Company, Inc. Graham Plant, Alamance County, North Carolina; HDM Furniture Industries, Inc., Henredon Furniture Plant 1 & 2, Burke County, North Carolina; Kohler Co., DBA Baker Furniture, Burke County, North Carolina; Bernhardt Furniture Company Plants 3 & 7, Caldwell County, North Carolina; Thomasville Furniture Industries, Inc., Lenoir Plant, Caldwell County, North Carolina; Kincaid Furniture Company, Inc., Plant No. 1, Caldwell County, North Carolina; Hickory Chair Company, Catawba County, North Carolina; Uniboard USA LLC, Chatham County, North Carolina; Georgia Pacific Whiteville Plant, Columbus County, North Carolina; West Fraser, Inc., Armour Lumber Mill, Columbus County, North Carolina; Weyerhaeuser NR Company, New Bern Lumber Facility, Craven County, North Carolina; Linwood Furniture, Inc., Davidson County, North Carolina; Warvel Products, Inc., Davidson County, North Carolina; Thomasville Furniture Industries, Inc., Plant C/M/W/SB, Davidson County, North Carolina; Lexington Furniture Inc., Plant 5, Davidson Coun-

ty, North Carolina; Stanley Furniture Company, Inc., Graham County, North Carolina; Georgia Pacific, Creedmoor Chip-N-Saw Plant, Granville County, North Carolina; JELD-WEN, Inc., McDowell County, North Carolina; Weyerhaeuser NR Company, Martin County, North Carolina; Jordan Lumber & Supply Co., Montgomery County, North Carolina; Troy Lumber Co., Montgomery County, North Carolina; Unilin Flooring N.V., Montgomery County, North Carolina; West Fraser, Seaboard Lumber Mill, Northampton County, North Carolina; Georgia Pacific Roxboro, Person County, North Carolina; Louisiana Pacific Corp., Roxboro, Person County, North Carolina; Weyerhaeuser Company, Grifton, Pitt County, North Carolina; Vaughan Bassett Furniture Co., Elkin Furniture, Surry County, North Carolina; Weyerhaeuser NR Company, Elkin Facility, Surry County, North Carolina; Georgia Pacific Plywood/OSB/CNS, Dudley, Wayne County, North Carolina; Louisiana Pacific Corp., Roaring River, Wilkes County, North Carolina; and American Drew, Inc., Plant 13, Wilkes County, North Carolina, for subpart DDDD of this Part—National Emissions Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products. This action is contingent upon NC DENR including, in title V permits, terms and conditions that are no less stringent than the Federal standard. In addition, the requirements applicable to the sources remain the Federal section 112 requirements until EPA has approved the alternative permit terms and conditions and the final title V permit is issued.

(35)–(36) [Reserved]

(37) *Oklahoma.* (i) The following table lists the specific part 63 standards that have been delegated unchanged to the Oklahoma Department of Environmental Quality for all sources. The “X” symbol is used to indicate each subpart that has been delegated. The delegations are subject to all of the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards. Any

Environmental Protection Agency

§ 63.99

amendments made to these rules after
this effective date are not delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF OKLAHOMA [Excluding Indian Country]

Subpart	Source category	Order ^{1,2}
A	General Provisions ²	X
F	Hazardous Organic NESHAP (HON)—Synthetic Organic Chemical Manufacturing Industry (SOCMI)	X
G	HON—SOCMI Process Vents, Storage Vessels, Transfer Operations and Wastewater	X
H	HON—Equipment Leaks	X
I	HON—Certain Processes Negotiated Equipment Leak Regulation	X
J	Polyvinyl Chloride and Copolymers Production	(³)
K	(Reserved) .....	.....
L	Coke Oven Batteries	X
M	Perchloroethylene Dry Cleaning	X
N	Chromium Electroplating and Chromium Anodizing Tanks	X
O	Ethylene Oxide Sterilizers	X
P	(Reserved) .....	.....
Q	Industrial Process Cooling Towers	X
R	Gasoline Distribution	X
S	Pulp and Paper Industry	X
T	Halogenated Solvent Cleaning	X
U	Group I Polymers and Resins	X
V	(Reserved) .....	.....
W	Epoxy Resins Production and Non-Nylon Polyamides Production	X
X	Secondary Lead Smelting	X
Y	Marine Tank Vessel Loading	X
Z	(Reserved) .....	.....
AA	Phosphoric Acid Manufacturing Plants	X
BB	Phosphate Fertilizers Production Plants	X
CC	Petroleum Refineries	X
DD	Off-Site Waste and Recovery Operations	X
EE	Magnetic Tape Manufacturing	X
FF	(Reserved) .....	.....
GG	Aerospace Manufacturing and Rework Facilities	X
HH	Oil and Natural Gas Production Facilities	X
II	Shipbuilding and Ship Repair Facilities	X
JJ	Wood Furniture Manufacturing Operations	X
KK	Printing and Publishing Industry	X
LL	Primary Aluminum Reduction Plants	X
MM	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfide, and Stand-Alone Semichemical Pulp Mills	X
NN	(Reserved) .....	.....
OO	Tanks—Level 1	X
PP	Containers	X
QQ	Surface Impoundments	X
RR	Individual Drain Systems	X
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process	X
TT	Equipment Leaks—Control Level 1	X
UU	Equipment Leaks—Control Level 2 Standards	X
VV	Oil-Water Separators and Organic-Water Separators	X
WW	Storage Vessels (Tanks)—Control Level 2	X
XX	(Reserved) .....	.....
YY	Generic Maximum Achievable Control Technology Standards	X
ZZ-BBB	(Reserved) .....	.....
CCC	Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration	X
DDD	Mineral Wool Production	X
EEE	Hazardous Waste Combustors	X
FFF	(Reserved) .....	.....
GGG	Pharmaceuticals Production	X
HHH	Natural Gas Transmission and Storage Facilities	X
III	Flexible Polyurethane Foam Production	X
JJJ	Group IV Polymers and Resins	X
KKK	(Reserved) .....	.....
LLL	Portland Cement Manufacturing	X
MMM	Pesticide Active Ingredient Production	X
NNN	Wool Fiberglass Manufacturing	X
OOO	Amino/Phenolic Resins	X
PPP	Polyether Polyols Production	X
QQQ	Primary Copper Smelting	X
RRR	Secondary Aluminum Production	X
SSS	(Reserved) .....	.....

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF OKLAHOMA—Continued
[Excluding Indian Country]

Subpart	Source category	Order ^{1,2}
TTT	Primary Lead Smelting	X
UUU	Petroleum Refineries—Catalytic Cracking Units, Catalytic Reforming Units and Sulfur Recovery Plants.	X
VVV	Publicly Owned Treatment Works (POTW)	X
WWW	(Reserved)	
XXX	Ferrous Production: Ferromanganese and Silicomanganese	X
AAAA	Municipal Solid Waste Landfills	X
CCCC	Nutritional Yeast Manufacturing	X
DDDD	Plywood and Composite Wood Products	X
EEEE	Organic Liquids Distribution	X
FFFF	Miscellaneous Organic Chemical Production and Processes (MON)	X
GGGG	Solvent Extraction for Vegetable Oil Production	X
HHHH	Wet Formed Fiberglass Mat Production	X
IIII	Auto & Light Duty Truck	X
JJJJ	Paper and other Web (Surface Coating)	X
KKKK	Metal Can (Surface Coating)	X
MMMM	Surface Coating of Miscellaneous Metal Parts and Products	X
NNNN	Surface Coating of Large Appliances	X
OOOO	Fabric Printing Coating and Dyeing	X
PPPP	Plastic Parts (Surface Coating)	X
QQQQ	Surface Coating of Wood Building Products	X
RRRR	Surface Coating of Metal Furniture	X
SSSS	Surface Coating for Metal Coil	X
TTTT	Leather Finishing Operations	X
UUUU	Cellulose Production Manufacture	X
VVVV	Boat Manufacturing	X
WWWW	Reinforced Plastic Composites Production	X
XXXX	Tire Manufacturing	X
YYYY	Combustion Turbines	X
ZZZZ	Reciprocating Internal Combustion Engines (RICE)	X
AAAAA	Lime Manufacturing Plants	X
BBBBB	Semiconductor Manufacturing	X
CCCCC	Coke Ovens: Pushing, Quenching and Battery Stacks	X
DDDDD	Industrial/Commercial/Institutional Boilers and Process Heaters	
EEEEE	Iron Foundries	X
FFFFF	Integrated Iron and Steel	X
GGGGG	Site Remediation	X
HHHHH	Miscellaneous Coating Manufacturing	X
IIIII	Mercury Cell Chlor-Alkali Plants	X
JJJJJ	Brick and Structural Clay Products Manufacturing	X
KKKKK	Clay Ceramics Manufacturing	X
LLLLL	Asphalt Roofing and Processing	X
MMMMM	Flexible Polyurethane Foam Fabrication Operation	X
NNNNN	Hydrochloric Acid Production, Fumed Silica Production	X
PPPPP	Engine Test Facilities	X
QQQQQ	Friction Products Manufacturing	X
RRRRR	Taconite Iron Ore Processing	X
SSSSS	Refractory Products Manufacture	X
TTTTT	Primary Magnesium Refining	X

¹ Program delegated to Oklahoma Department of Environmental Quality (ODEQ), as amended in the FEDERAL REGISTER through September 1, 2004.

² Authorities that cannot be delegated include § 63.6(g), Approval of Alternative Non-Opacity Standards; § 63.6(h)(9), Approval of Alternative Opacity Standards; § 63.7(e)(2)(ii) and (f), Approval of Major Alternatives to Test Methods; § 63.8(f), Approval of Major Alternatives to Monitoring; and § 63.10(f), Approval of Major Alternatives to Recordkeeping and Reporting. In addition, all authorities identified in the certain subparts that EPA has designated that cannot be delegated.

³ The ODEQ has adopted the subpart unchanged and applied for delegation of the standard. The standard was vacated and remanded to EPA by the United States Court of Appeals for the District of Columbia Circuit. See, *Mossville Environmental Action Network v. EPA*, 370 F. 3d 1232 (D.C. Cir. 2004). Because of the D.C. Circuit Court's holding this standard is not being delegated to ODEQ at this time.

(38) *Oregon*. (i) The following table lists the delegation status of specific part 63 subparts that have been delegated to state and local air pollution control agencies in Oregon. An “X” indicates the subpart has been delegated, subject to all the conditions and limi-

tations set forth in federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards. The dates noted at the end

Environmental Protection Agency

§ 63.99

of this table indicate the effective dates of federal rules that have been delegated. Any amendments made to these rules after this effective date are not delegated.

DELEGATION STATUS OF PART 63 NESHAPS—STATE OF OREGON¹

Subpart ²	ODEQ ³	LRAPA ⁴
A General Provisions ⁵	X	X
D Early Reductions		
F HON-SOCMI	X	X
G HON-Process Vents	X	X
H HON-Equipment Leaks	X	X
I HON-Negotiated Leaks	X	X
L Coke Oven Batteries	X	X
M Perchloroethylene Dry Cleaning	X	X
N Chromium Electroplating	X	X
O Ethylene Oxide Sterilizers	X	X
Q Industrial Process Cooling Towers	X	X
R Gasoline Distribution	X	X
S Pulp and Paper	X	X
T Halogenated Solvent Cleaning	X	X
U Polymers and Resins I	X	X
W Polymers and Resins II-Epoxy	X	X
X Secondary Lead Smelting	X	X
Y Marine Tank Vessel Loading	X	X
AA Phosphoric Acid Manufacturing Plants	X	X
BB Phosphate Fertilizers Production Plants	X	X
CC Petroleum Refineries	X	X
DD Off-Site Waste and Recovery	X	X
EE Magnetic Tape Manufacturing	X	X
GG Aerospace Manufacturing & Rework	X	X
HH Oil and Natural Gas Production Facilities	X	X
II Shipbuilding and Ship Repair	X	X
JJ Wood Furniture Manufacturing Operations	X	X
KK Printing and Publishing Industry	X	X
LL Primary Aluminum	X	X
MM Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicheical Pulp Mills	X	X
OO Tanks—Level 1	X	X
PP Containers	X	X
QQ Surface Impoundments	X	X
RR Individual Drain Systems	X	X
SS Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or Process	X	X
TT Equipment Leaks—Control Level 1	X	X
UU Equipment Leaks—Control Level 2	X	X
VV Oil-Water Separators and Organic-Water Separators	X	X
WW Storage Vessels (Tanks)—Control Level 2	X	X
YY Source Categories: Generic MACT	X	X
CCC Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants	X	X
DDD Mineral Wool Production	X	X
EEE Hazardous Waste Combustors	X	X
GGG Pharmaceuticals Production	X	X
HHH Natural Gas Transmission and Storage Facilities	X	X
III Flexible Polyurethane Foam Production	X	X
JJJ Polymers and Resins IV	X	X
LLL Portland Cement Manufacturing	X	X
MMM Pesticide Active Ingredient Production	X	X
NNN Wool Fiberglass Manufacturing	X	X
OOO Manufacture of Amino Phenolic Resins	X	X
PPP Polyether Polyols Production	X	X
RRR Secondary Aluminum Production	X	X
TTT Primary Lead Smelting	X	X
VVV Publicly Owned Treatment Works	X	X
XXX Ferrous Alloys Production: Ferromanganese & Silico manganese	X	X
CCCC Manufacture of Nutritional Yeast	X	X
GGGG Extraction of Vegetable Oil	X	X

¹ Table last updated on August 9, 2002; see 40 CFR 61.04(b)(WW) for agency addresses.

² Any authority within any subpart of this part (i.e. under "Delegation of Authority") that is identified as not delegatable, is not delegated.

³ Oregon Department of Environmental Quality (07/01/2001).

⁴ Lane Region Air Pollution Authority (07/01/2001).

⁵ General Provisions Authorities which may not be delegated include: §§ 63.6(g); 63.6(h)(9); 63.7(e)(2)(ii) and (f) for approval of major alternatives to test methods; § 63.9(f) for approval of major alternatives to monitoring. For definitions of minor, intermediate, and major alternatives to test methods and monitoring, see 40 CFR 63.90.

(39) *Pennsylvania*. (i) Pennsylvania is delegated the authority to implement and enforce all existing and future unchanged 40 CFR part 63 standards at major sources, as defined in 40 CFR part 70, in accordance with the delegation agreement between EPA Region III and the Pennsylvania Department of Environmental Protection, dated January 5, 1998, and any mutually acceptable amendments to that agreement.

(ii) Pennsylvania is delegated the authority to implement and enforce all existing 40 CFR part 63 standards and all future unchanged 40 CFR part 63 standards, if delegation is requested by the Pennsylvania Department of Environmental Protection and approved by EPA Region III, at sources not subject to the permitting requirements of 40 CFR part 70, in accordance with the final rule, dated September 13, 2001, effective November 13, 2001, and any mutually acceptable amendments to the terms described in the direct final rule.

(iii) Philadelphia is delegated the authority to implement and enforce all existing 40 CFR part 63 standards and all future unchanged 40 CFR part 63 standards, if delegation is requested by the City of Philadelphia Department of Public Health Air Management Services and approved by EPA Region III, at sources within the City of Philadelphia, in accordance with the final rule, dated January 29, 2002, effective April 1, 2002, and any mutually acceptable amendments to the terms described in the direct final rule.

(iv) Allegheny County is delegated the authority to implement and enforce all existing 40 CFR part 63 standards and all future unchanged 40 CFR part 63 standards at sources within Allegheny County, in accordance with the final rule, dated January 30, 2002, effective April 1, 2002, and any mutually acceptable amendments to the terms described in the direct final rule.

(v) Allegheny County is delegated the authority to implement and enforce the provisions of 40 CFR part 68 and all future unchanged amendments to 40 CFR part 68 at sources within Allegheny County, in accordance with the final rule, dated January 30, 2002, effective April 1, 2002, and any mutually ac-

ceptable amendments to the terms described in the direct final rule.

(40) Rhode Island.

(i) [Reserved]

(ii) Affected area sources within Rhode Island must comply with the Rhode Island Regulations Applicable to Hazardous Air Pollutants (incorporated by reference as specified in § 63.14) as described in paragraph (a)(40)(ii)(A) of this section:

(A) The material incorporated into the Rhode Island Department of Environmental Management regulations at Air Pollution Control Regulation No. 36, Control of Emissions from Organic Solvent Cleaning, effective April 8, 1996, last amended October 9, 2008, and Rhode Island Air Pollution Control, General Definitions Regulation, effective July 19, 2007, last amended October 9, 2008, pertaining to organic solvent cleaning facilities in the State of Rhode Island jurisdiction, and approved under the procedures in § 63.93 to be implemented and enforced in place of the Federal NESHAP for Halogenated Solvent Cleaning Facilities (subpart T of this part), effective as of May 3, 2007, except for continuous web cleaning machines as defined in § 63.461.

(I) Authorities not delegated.

(i) Rhode Island is not delegated the Administrator's authority to implement and enforce Rhode Island regulations at Air Pollution Control Regulation No. 36 and Rhode Island General Definitions Regulation in lieu of those provisions of subpart T of this part which apply to continuous web cleaning machines as defined in § 63.461.

(ii) [Reserved]

(2) [Reserved]

(B) [Reserved]

(41) *South Carolina*. (i) The following table lists the specific part 63 standards that have been delegated unchanged to the South Carolina Department of Health and Environmental Control (SCDHEC) for all sources. The "X" symbol is used to indicate each subpart that has been delegated. The delegations are subject to all of the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain

Environmental Protection Agency

§ 63.99

General Provisions authorities and specific parts of some standards.

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—SOUTH CAROLINA¹

	Source category	Subpart	SCDHEC
1	HON	F, G, H, I	X
2	Polyvinyl Chloride & Co-polymers VACATED on 5/11/05.	J	
3	Coke Ovens	L	X
4	Dry Cleaners	M	X
5	Chromium Electroplating	N	X
6	EtO Commercial Sterilization	O	X
7	Chromium Cooling Towers	Q	X
8	Gasoline Distribution (stage 1)	R	X
9	Pulp & Paper I	S	X
10	Halogenated Solvent Cleaning	T	X
11	Polymer & Resins 1	U	X
12	Polymer & Resins 2	W	X
13	Secondary Lead Smelters	X	X
14	Marine Tank Vessel Loading	Y	X
15	Phosphoric Acid Mfg	AA	X
16	Phosphate Fertilizers Prod	BB	X
17	Petroleum Refineries	CC	X
18	Offsite Waste & Recovery	DD	X
	Tanks; Level 1	OO	X
	Containers	PP	X
	Surface Impoundments	QQ	X
	Drain Systems	RR	X
	Oil-Water Separators	VV	X
19	Magnetic Tape	EE	X
20	Aerospace Industry	GG	X
21	Oil & Natural Gas Prod	HH	X
	Area Source Requirements >>		X
22	Shipbuilding and Repair	I I	X
23	Wood Furniture Mfg	J J	X
24	Printing & Publishing	KK	X
25	Primary Aluminum	LL	X
26	Pulp & Paper II (Combustion sources)	MM	X
27	Generic MACT:		
	Control Devices	SS	X
	Eq. Leaks—Level 1	TT	X
	Eq. Leaks—Level 2	UU	X
	Tanks—Level 2	WW	X
28	Generic MACT:		
	Ethylene Mfg	XX & YY	X
	Carbon Black	YY	X
	Spandex Prod	YY	X
	Cyanide Chemical Mfg	YY	X
	Acetal Resins	YY	X
	Acrylic/Modacrylic Fibers	YY	X
	Hydrogen Fluoride Prod	YY	X
	Polycarbonates Prod	YY	X
29	Steel Pickling	CCC	X
30	Mineral Wool Prod	DDD	X
31	Hazardous Waste Combustion (Phase I)	EEE	X
32	Boilers that burn Haz. Waste (Phase II)	EEE	X
33	HCL Prod. Furnaces burning Haz. Waste (P II)	EEE	X
34	Pharmaceutical Prod	GGG	X
35	Nat. Gas Transmission & Storage	HHH	X
36	Flexible Polyurethane Foam Prod	I I I	X
37	Polymer & Resins 4	J J J	X
38	Portland Cement	LLL	X
39	Pesticide Active Ingredients	MMM	X
40	Wool Fiberglass	NNN	X
41	Polymer & Resins 3 (Amino & Phenolic)	OOO	X
42	Polyether Polyols Prod	PPP	X
43	Primary Copper	QQQ	X
44	Secondary Aluminum Prod	RRR	X
45	Primary Lead Smelting	TTT	X
46	Petro Refineries (FCC units)	UUU	X
47	POTW	V V V	X
48	Ferroalloys	X X X	X
49	Municipal Landfills	AAA	X
50	Nutritional Yeast	CCCC	X

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—SOUTH CAROLINA¹—Continued

	Source category	Subpart	SCDHEC
51	Plywood and Composite Wood Prod. (Partial Vacatur Oct. 07).	DDDD	X
52	Organic Liquids Distribution (non-gas)	EEEE	X
53	Misc. Organic NESHAP	FFFF	X
54	Vegetable Oil	GGGG	X
55	Wet Formed Fiberglass	HHHH	X
56	Auto & Light Duty Truck (coating)	IIII	X
57	Paper & Other Webs	JJJJ	X
58	Metal Can (coating)	KKKK	X
59	Misc. Metal Parts (coating)	MMMM	X
60	Large Appliances (coating)	NNNN	X
61	Printing, Coating, & Dyeing Fabrics	OOOO	X
62	Plastic Parts & Products (coating)	PPPP	X
63	Wood Building Products	QQQQ	X
64	Metal Furniture (coating)	RRRR	X
65	Metal Coil (coating)	SSSS	X
66	Leather Tanning & Finishing	TTTT	X
67	Cellulose Ethers Prod Misc. Viscose Processes	UUUU	X
68	Boat Manufacturing	VVVV	X
69	Reinforced Plastic Composites	WWWW	X
70	Rubber Tire Mfg	XXXX	X
71	Stationary Combustion Turbines	YYYY	X
72	Reciprocating Int. Combustion Engines	ZZZZ	X
	Area Source Requirements >>.		X
73	Lime Manufacturing	AAAAA	X
74	Semiconductor Production	BBBBB	X
75	Coke Ovens: (Push/Quench/Battery/Stacks)	CCCCC	X
76	Industrial/Commercial/Institutional Boilers & Process Heaters, VACATED on 7/30/07.	DDDDD	
77	Iron Foundries	EEEEE	X
78	Integrated Iron & Steel	FFFFF	X
79	Site Remediation	GGGGG	X
80	Misc. Coating Manufacturing	HHHHH	X
81	Mercury Cell Chlor-Alkali	IIIII	X
82	Brick & Structural Clay Products, VACATED on 6/18/07.	JJJJJ	
83	Clay Ceramics Manufacturing, VACATED on 6/18/07	KKKKK	
84	Asphalt Roofing & Processing	LLLLL	X
85	Flex. Polyurethane Foam Fabrication	MMMMM	X
86	Hydrochloric Acid Prod/Fumed Silica	NNNNN	X
87	Engine & Rocket Test Facilities	PPPPP	X
88	Friction Materials Manufacturing	QQQQQ	X
89	Taconite Iron Ore	RRRRR	X
90	Refractories	SSSSS	X
91	Primary Magnesium	TTTTT	X
Area Source Rules			
92	Hospital Sterilizers	WWWWW	X
93	Stainless and Nonstainless Steel Mfg Electric Arc Furnaces.	YYYYY	X
94	Iron & Steel foundries	ZZZZZ	X
95	Gasoline Distribution—Bulk	BBBBBB	X
96	Gasoline Dispensing Facilities	CCCCC	X
97	PVC & Copolymers Prod	DDDDD	X
98	Primary Copper	EEEEEE	X
99	Secondary Copper Smelting	FFFFFF	X
100	Primary Nonferrous Metals	GGGGG	X
101	Paint Stripping	HHHHH	X
	Auto-Body Refinishing.		
	Plastic Parts & Prod. (coating)		
102	Acrylic/Modacrylic Fibers Prod	LLLLL	X
103	Carbon Black Prod	MMMMM	X
104	Chemical Mfg. Chrom	NNNNN	X
105	Flex. Polyurethane Foam Fab	OOOOO	X
	Flex. Polyurethane Foam Prod		
106	Lead Acid Battery Mfg	PPPPP	X
107	Wood Preserving	QQQQQ	X
108	Clay Ceramics Mfg	RRRRR	X
109	Glass Mfg	SSSSS	X
110	Secondary Nonferrous Metals	TTTTT	X
110	Plating and Polishing	WWWWW	X

Environmental Protection Agency

§ 63.99

PART 63 MAJOR & AREA SOURCE RULE DELEGATIONS—SOUTH CAROLINA¹—Continued

	Source category	Subpart	SCDHEC
112	Heating Eq. Mfg	XXXXXX	X
	Industrial Mach. & Eq. Finishing		
	Elect. & Electronics Eq. Finishing		
	Fabricated Metal Prod		
	Fabricated Plate Work (Boiler Shop)		
	Fabricated Structural Metal Mfg		
113	Ferro/Silico Manganese	YYYYYY	X
	Iron and Steel Forging		
	Primary Metals Prod. Mfg		
	Valves and Pipe Fittings Mfg		
	Ferroalloys Production		

¹ State program approved on June 26, 1995. Delegation table last updated on February 23, 2009.

(ii) South Carolina Department of Health and Environmental Control (SC DHEC) may implement and enforce alternative requirements in the form of title V permit terms and conditions for International Paper Georgetown Mill, Georgetown, South Carolina, for subpart S of this part—National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry. This action is contingent upon SC DHEC including, in title V permits, terms and conditions that are no less stringent than the Federal standard. In addition, the requirement applicable to the source remains the Federal section 112 requirement until EPA has approved the alternative permit terms and conditions and the final title V permit is issued.

(42)–(43) [Reserved]

(44) *Texas*. (i) The following table lists the specific part 63 standards that have been delegated unchanged to the Texas Commission on Environmental Quality for all sources. The “X” symbol is used to indicate each subpart that has been delegated. The delegations are subject to all of the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards. Any amendments made to these rules after the effective date are not delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF TEXAS¹

Subpart	Source category	TCEQ ²
F	Hazardous Organic NESHAP (HON)—Synthetic Organic Chemical Manufacturing Industry (SOCMI).	X
G	HON—SOCMI Process Vents, Storage Vessels, Transfer Operations and Wastewater	X
H	HON—Equipment Leaks	X
I	HON—Certain Processes Negotiated Equipment Leak Regulation	X
J	Polyvinyl Chloride and Copolymers Production	³ X
K	(Reserved) .....	.....
L	Coke Oven Batteries	X
M	Perchloroethylene Dry Cleaning	X
N	Chromium Electroplating and Chromium Anodizing Tanks	X
O	Ethylene Oxide Sterilizers	X
P	(Reserved) .....	.....
Q	Industrial Process Cooling Towers	X
R	Gasoline Distribution	X
S	Pulp and Paper Industry	X
T	Halogenated Solvent Cleaning	X
U	Group I Polymers and Resins	X
V	(Reserved) .....	.....
W	Epoxy Resins Production and Non-Nylon Polyamides Production	X
X	Secondary Lead Smelting	X
Y	Marine Tank Vessel Loading	X
Z	(Reserved) .....	.....
AA	Phosphoric Acid Manufacturing Plants	X
BB	Phosphate Fertilizers Production Plants	X
CC	Petroleum Refineries	X
DD	Off-Site Waste and Recovery Operations	X

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF TEXAS¹—Continued

Subpart	Source category	TCEQ ²
EE	Magnetic Tape Manufacturing	X
FF	(Reserved)	
GG	Aerospace Manufacturing and Rework Facilities	X
HH	Oil and Natural Gas Production Facilities	X
II	Shipbuilding and Ship Repair Facilities	X
JJ	Wood Furniture Manufacturing Operations	X
KK	Printing and Publishing Industry	X
LL	Primary Aluminum Reduction Plants	X
MM	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfide, and Stand-Alone Semicheical Pulp Mills.	X
NN	(Reserved)	
OO	Tanks—Level 1	X
PP	Containers	X
QQ	Surface Impoundments	X
RR	Individual Drain Systems	X
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.	
TT	Equipment Leaks—Control Level 1	X
UU	Equipment Leaks—Control Level 2 Standards	X
VV	Oil-Water Separators and Organic-Water Separators	X
WW	Storage Vessels (Tanks)—Control Level 2	X
XX	(Reserved)	
YY	Generic Maximum Achievable Control Technology Standards	X
ZZ-BBB	(Reserved)	
CCC	Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration	X
DDD	Mineral Wool Production	X
EEE	Hazardous Waste Combustors	X
FFF	(Reserved)	
GGG	Pharmaceuticals Production	X
HHH	Natural Gas Transmission and Storage Facilities	X
III	Flexible Polyurethane Foam Production	X
JJJ	Group IV Polymers and Resins	X
KKK	(Reserved)	
LLL	Portland Cement Manufacturing	X
MMM	Pesticide Active Ingredient Production	X
NNN	Wool Fiberglass Manufacturing	X
OOO	Amino/Phenolic Resins	X
PPP	Polyether Polyols Production	X
QQQ	Primary Copper Smelting	X
RRR	Secondary Aluminum Production	X
SSS	(Reserved)	
TTT	Primary Lead Smelting	X
UUU	Petroleum Refineries—Catalytic Cracking Units, Catalytic Reforming Units and Sulfur Re- covery Plants.	X
VVV	Publicly Owned Treatment Works (POTW)	X
WWW	(Reserved)	
XXX	Ferroalloys Production: Ferromanganese and Silicomanganese	X
AAAA	Municipal Solid Waste Landfills	X
CCCC	Nutritional Yeast Manufacturing	X
DDDD	Plywood and Composite Wood Products.	
EEEE	Organic Liquids Distribution	X
FFFF	Miscellaneous Organic Chemical Manufacturing (MON)	X
GGGG	Solvent Extraction for Vegetable Oil Production	X
HHHH	Wet Formed Fiberglass Mat Production	X
IIII	Auto & Light Duty Truck	X
JJJJ	Paper and other Web (Surface Coating)	X
KKKK	Surface Coating of Metal Cans	X
MMMM	Miscellaneous Metal Parts and Products Surface Coating	X
NNNN	Surface Coating of Large Appliances	X
OOOO	Fabric Printing Coating and Dyeing	X
PPPP	Surface Coating of Plastic Parts and Products	X
QQQQ	Surface Coating of Wood Building Products	X
RRRR	Surface Coating of Metal Furniture	X
SSSS	Surface Coating for Metal Coil	X
TTTT	Leather Finishing Operations	X
UUUU	Cellulose Production Manufacture	X
VVVV	Boat Manufacturing	X
WWWW	Reinforced Plastic Composites Production	X
XXXX	Tire Manufacturing	X
YYYY	Stationary Combustion Turbines	X
ZZZZ	Reciprocating Internal Combustion Engines	X
AAAAA	Lime Manufacturing	X

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF TEXAS¹—Continued

Subpart	Source category	TCEQ ²
BBBBB	Semiconductor Manufacturing	X
CCCCC	Coke Ovens: Pushing, Quenching and Battery Stacks	X
DDDDD	Industrial, Commercial, and Institutional Boilers and Process Heaters	X
EEEEE	Iron and Steel Foundries	X
FFFFF	Integrated Iron and Steel	X
GGGGG	Site Remediation	X
HHHHH	Miscellaneous Coating Manufacturing	X
IIIII	Mercury Cell Chlor-Alkali Plants	X
JJJJJ	Brick and Structural Clay Products Manufacturing	X
KKKKK	Clay Ceramics Manufacturing	X
LLLLL	Asphalt Roofing and Processing	X
MMMMM	Flexible Polyurethane Foam Fabrication Operation	X
NNNNN	Hydrochloric Acid Production, Fumed Silica Production	X
PPPPP	Engine Test Facilities	X
QQQQQ	Friction Materials Manufacturing	X
RRRRR	Taconite Iron Ore Processing	X
SSSSS	Refractory Products Manufacture	X
TTTTT	Primary Magnesium Refining	X

¹ Program delegated to Texas Commission on Environmental Quality (TCEQ).

² Authorities which may not be delegated include: § 63.6(g), Approval of Alternative Non-Opacity Emission Standards; § 63.6(h)(9), Approval of Alternative Opacity Standards; § 63.7(e)(2)(ii) and (f), Approval of Major Alternatives to Test Methods; § 63.8(f), Approval of Major Alternatives to Monitoring; § 63.10(f), Approval of Major Alternatives to Recordkeeping and Reporting; and all authorities identified in the subparts (e.g., under "Delegation of Authority") that cannot be delegated.

³ The TCEQ was previously delegated this subpart on May 17, 2005 (70 FR 13018). The subpart was vacated and remanded to EPA by the United States Court of Appeals for the District of Columbia Circuit. See, *Mossville Environmental Action Network v. EPA*, 370 F. 3d 1232 (D.C. Cir. 2004). Because of the D.C. Court's holding this subpart is not delegated to TCEQ at this time.

(ii) Affected sources within Texas shall comply with the Federal requirements of 40 CFR part 63—subpart A—General Provisions, adopted by reference by the Texas Commission on Environmental Quality (TCEQ), with the exception of § 63.5(e)(2)(i), § 63.6(i)(12)(i), § 63.6(i)(13)(i) and (ii), § 63.8(e)(5)(ii), § 63.9(i)(3), and § 63.10(e)(2)(ii). The TCEQ has adopted alternative provisions for the cited exceptions above and affected sources in Texas that are subject to the requirements of Subpart A shall comply with the requirements established at Texas Administrative Code, Title 30, Part 1, Chapter 113, Subchapter C, section 113.100.

(45)–(46) [Reserved]

(47) *Virginia*. (i) Virginia is delegated the authority to implement and enforce all existing and future unchanged 40 CFR part 63 standards at major sources, as defined in 40 CFR part 70, in accordance with the delegation agreement between EPA Region III and the Virginia Department of Environmental Quality, dated April 20, 1998, and any mutually acceptable amendments to that agreement.

(ii) Virginia is delegated the authority to implement and enforce all existing 40 CFR part 63 standards and all future unchanged 40 CFR part 63 stand-

ards, if delegation is sought by the Virginia Department of Environmental Quality and approved by EPA Region III, at affected sources which are not located at major sources, as defined in 40 CFR part 70, in accordance with the final rule, dated January 8, 2002, effective March 11, 2002, and any mutually acceptable amendments to the terms described in the direct final rule.

(iii) EPA has granted the Virginia Department of Environmental Quality (DEQ) "up-front" approval to implement an Equivalency by Permit (EBP) program under which the Virginia DEQ may establish and enforce alternative State requirements for International Paper Company's Franklin Mill in lieu of those of the National Emissions Standard for Hazardous Air Pollutants (NESHAP) for the Pulp and Paper Industry found at 40 CFR part 63, subpart S. The Virginia DEQ may only establish alternative requirements for the Franklin Mill which are equivalent to and at least as stringent as the otherwise applicable Federal requirements. The VA DEQ must, in order to establish alternative requirements for the Franklin Mill under its EPA approved EBP program: (1) Submit to EPA for review pre-draft Clean Air Act (CAA) Title V permit terms specifying alternative requirements which are at least

§ 63.99

40 CFR Ch. I (7–1–12 Edition)

as stringent as the otherwise applicable Federal requirements, (2) obtain EPA's written approval of the alternative pre-draft CAA Title V permit requirements, and (3) issue a CAA Title V permit for the Franklin Mill which contains the approved alternative requirements. Until EPA has approved the alternative permit terms and conditions and the Virginia DEQ has issued a final CAA Title V permit incorporating them, International Paper Company's Franklin Mill will remain subject to the Federal NESHAP requirements found at 40 CFR part 63, subpart S.

(48) *Washington*. (i) The following table lists the delegation status of spe-

cific part 63 Subparts that have been delegated to state and local air pollution control agencies in Washington. An "X" indicates the subpart has been delegated, subject to all the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards. The dates noted at the end of this table indicate the effective dates of Federal rules that have been delegated. Any amendments made to these rules after this effective date are not delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF WASHINGTON¹

40 CFR Part 63, Subparts ²	Ecology ³	BCAA ⁴	NWAPA ⁵	OAPCA ⁶	PSCAA ⁷	SCAPCA ⁸	SWCAA ⁹	YRCAA ¹⁰
A General Provisions ¹¹ .	X	X	X	X	X	X	X	X
D Early Reductions	X	X	X	X	X	X	X	X
F HON-SOCMI	X	X	X	X	X	X	X	X
G HON-Process Vents.	X	X	X	X	X	X	X	X
H HON-Equipment Leaks.	X	X	X	X	X	X	X	X
I HON-Negotiated Leaks.	X	X	X	X	X	X	X	X
L Coke Oven Batteries.	X	X	X	X	X	X	X	X
M Perchloroethylene Dry Cleaning.	X ³	X ⁴	X		X ⁷	X ⁸	X	X ¹⁰
N Chromium Electroplating.	X	X	X	X	X	X	X	X
O Ethylene Oxide Sterilizers.	X	X	X	X	X	X	X	X
Q Industrial Process Cooling Towers.	X	X	X	X	X	X	X	X
R Gasoline Distribution.	X	X	X	X	X	X	X	X
S Pulp and Paper ¹²	X		⁵	X ⁶	X ⁷	X ⁸	X ⁹	X ¹⁰
T Halogenated Solvent Cleaning.	X	X	X	X	X	X	X	X
U Polymers and Resins I.	X	X	X	X	X	X	X	X
W Polymers and Resins II-Epoxy.	X	X	X	X	X	X	X	X
X Secondary Lead Smelting.	X	X	X	X	X	X	X	X
Y Marine Tank Vessel Loading.	X	X	X		X	X	X	
AA Phosphoric Acid Manufacturing Plants.	X	X	X	X	X	X		X
BB Phosphate Fertilizers Production Plants.	X	X	X	X	X	X		X
CC Petroleum Refineries.	X	X	X	X	X	X	X	X
DD Off-Site Waste and Recovery.	X	X	X	X	X	X	X	X
EE Magnetic Tape Manufacturing.	X	X	X	X	X	X	X	X

Environmental Protection Agency

§ 63.99

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF WASHINGTON¹—Continued

40 CFR Part 63, Sub-parts ²	Ecology ³	BCAA ⁴	NWAPA ⁵	OAPCA ⁶	PSCAA ⁷	SCAPCA ⁸	SWCAA ⁹	YRCAA ¹⁰
GG Aerospace Manufacturing & Re-work.	X	X	X	X	X	X	X	X
HH Oil and Natural Gas Production Facilities.	X	X	X	X	X	X		X
II Shipbuilding and Ship Repair.	X	X	X	X	X	X	X	X
JJ Wood Furniture Manufacturing Operations.	X	X	X	X	X	X	X	X
KK Printing and Publishing Industry.	X	X	X	X	X	X	X	X
LL Primary Aluminum ¹³ .	X							
MM Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills ¹⁴ .	X							
OO Tanks—Level 1	X	X	X	X	X	X		X
PP Containers	X	X	X	X	X	X		X
QQ Surface Impoundments.	X	X	X	X	X	X		X
RR Individual Drain Systems.	X	X	X	X	X	X		X
SS Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or Process.	X	X	X	X	X	X		X
TT Equipment Leaks—Control Level 1.	X	X	X	X	X	X		X
UU Equipment Leaks—Control Level 2.	X	X	X	X	X	X		X
VV Oil-Water Separators and Organic-Water Separators.	X	X	X	X	X	X		X
WW Storage Vessels (Tanks)—Control Level 2.	X	X	X		X	X		
YY Source Categories: Generic MACT.	X	X	X		X	X		
CCC Steel Pickling—HCl Process Facilities and Hydrochloric Acid Regeneration Plants.	X	X	X		X	X		
DDD Mineral Wool Production.	X	X	X		X	X		
EEE Hazardous Waste Combustors.	X	X	X		X	X		
GGG Pharmaceuticals Production.	X	X	X		X	X		
HHH Natural Gas Transmission and Storage Facilities.	X	X	X		X	X		
III Flexible Polyurethane Foam Production.	X	X	X		X	X		X
JJJ Polymers and Resins IV.	X	X	X		X	X	X	
LLL Portland Cement Manufacturing.	X	X	X		X	X		

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF WASHINGTON¹—Continued

40 CFR Part 63, Subparts ²	Ecology ³	BCAA ⁴	NWAPA ⁵	OAPCA ⁶	PSCAA ⁷	SCAPCA ⁸	SWCAA ⁹	YRCAA ¹⁰
MMM Pesticide Active Ingredient Production.	X	X	X		X	X		
NNN Wool Fiber-glass Manufacturing.	X	X	X		X	X		
OOO Manufacture of Amino Phenolic Resins.	X	X	X		X	X		
PPP Polyether Polyols Production.	X	X	X		X	X		
RRR Secondary Aluminum Production.	X	X			X	X		
TTT Primary Lead Smelting.	X	X	X		X	X		
VVV Publicly Owned Treatment Works.	X	X	X		X	X		
XXX Ferroalloys Production:	X	X	X		X	X		
Ferromanganese & Silicomanganese.								
CCCC Manufacture of Nutritional Yeast.					X			
GGGG Extraction of Vegetable Oil.					X			
VVVV Boat Manufacturing.								

¹ Table last updated on April 15, 2002. See 40 CFR 61.04(b)(WW) for agency addresses.

² Any authority within any subpart of this part that is identified as not delegatable, is not delegated.

³ Washington State Department of Ecology (03/13/2001 for MM, 02/20/2001 for all others). Note: delegation of subpart M applies only to those sources required to obtain an operating permit under Title V of the Clean Air Act.

⁴ Benton Clean Air Agency (02/20/2001). Note: delegation of subpart M applies only to those sources required to obtain an operating permit under Title V of the Clean Air Act.

⁵ Northwest Air Pollution Control Agency (07/01/2000). Note: delegation of subpart S applies to all applicable facilities and processes except Kraft and Sulfite Pulp Mill (see footnote 12).

⁶ Olympic Air Pollution Control Agency (07/01/2000). Note: delegation of subpart M applies only to those sources required to obtain an operating permit under Title V of the Clean Air Act; delegation of subpart S applies to all applicable facilities and processes except Kraft and Sulfite Pulp Mill (see footnote 12).

⁷ Puget Sound Clean Air Agency (07/01/2001). Note: delegation of subpart S applies to all applicable facilities and processes except Kraft and Sulfite Pulp Mill (see footnote 12). For information about delegation of subpart M, see paragraph (a)(48)(ii) of this section.

⁸ Spokane County Air Pollution Control Agency (02/20/2001). Note: delegation of subpart M applies only to those sources required to obtain an operating permit under Title V of the Clean Air Act; delegation of subpart S applies to all applicable facilities and processes except Kraft and Sulfite Pulp Mill (see footnote 12).

⁹ Southwest Clean Air Agency (08/01/1998). Note: delegation of subpart S applies to all applicable facilities and processes except Kraft and Sulfite Pulp Mill (see footnote 12).

¹⁰ Yakima Regional Clean Air Authority (07/01/2000). Note: delegation of subpart M applies only to those sources required to obtain an operating permit under Title V of the Clean Air Act; delegation of subpart S applies to all applicable facilities and processes except Kraft and Sulfite Pulp Mill (see footnote 12).

¹¹ General Provisions Authorities which are not delegated include approval of major alternatives to test methods, approval of major alternatives to monitoring, and any sections in the subparts pertaining to approval of alternative standards (i.e., alternative means of emission limitations). For definitions of minor, intermediate, and major alternatives to test methods and monitoring, see § 63.90.

¹² Subpart S of this part as it pertains to Kraft and Sulfite Pulp Mill cannot be delegated to any local agencies in Washington. The Washington State Department of Ecology retains sole authority to regulate Kraft and Sulfite Pulp Mill, pursuant to Washington State Administrative Code 173–405–012 and 173–410–012.

¹³ Subpart LL of this part cannot be delegated to any local agencies in Washington because the Washington State Department of Ecology retains sole authority to regulate Primary Aluminum Plants, pursuant to Washington Administrative Code 173–415–010.

¹⁴ Subpart MM of this part cannot be delegated to any local agencies in Washington because the Washington State Department of Ecology retains sole authority to regulate Kraft and Sulfite Pulp Mill, pursuant to Washington State Administrative Code 173–405–012 and 173–410–012.

(ii) Affected area sources within Puget Sound Clean Air's jurisdiction must comply with Puget Sound Clean Air's Regulation III, sections 3.03, Perchloroethylene Dry Cleaners, (incorporated by reference as specified in 40 CFR 63.14) as follows:

(A) The material incorporated in Puget Sound Clean Air's Regulation

III, section 3.03, Perchloroethylene Dry Cleaners, pertains to the perchloroethylene dry cleaning source category in the Puget Sound Clean Air jurisdiction, and has been approved under the procedures in 40 CFR 63.93 to be implemented and enforced in place of the federal NESHAPs for

Environmental Protection Agency

§ 63.99

Perchloroethylene Dry Cleaning Facilities (40 CFR part 63, subpart M), for area sources, as defined in 40 CFR 63.320(h).

(I) Authorities not delegated.

(i) Puget Sound Clean Air is not delegated the authority to implement and enforce Puget Sound Clean Air Regulation III, sections 3.03 in lieu of those provisions of Subpart M which applies to major sources, as defined in 40 CFR 63.320(g). Dry cleaning facilities which are major sources remain subject to subpart M.

(ii) Puget Sound Clean Air is not delegated the authority of 40 CFR 63.325 to determine equivalency of emissions control technologies. Any source seeking permission to use an alternative means of emission limitation under Puget Sound Clean Air Regulation I, section 3.23 must also receive approval from the Administrator before using such alternative means of emission limitation for the purpose of complying with section 112.

(B) [Reserved]

NOTE TO PARAGRAPH (a)(48): Dates in parenthesis indicate the effective date of the federal rules that have been adopted by and delegated to the state or local air pollution control agency. Therefore, any amendments made to these delegated rules after this effective date are not delegated to the agency.

(49) *West Virginia*. (i) West Virginia is delegated the authority to implement and enforce all existing and future unchanged 40 CFR part 63 standards at major sources, as defined in 40 CFR part 70, in accordance with the delegation agreement between EPA Region III and the West Virginia Department of Environmental Protection, dated March 19, 2001, and any mutually acceptable amendments to that agreement.

(ii) West Virginia is delegated the authority to implement and enforce all existing 40 CFR part 63 standards and all future unchanged 40 CFR part 63 standards, if delegation is sought by the West Virginia Department of Environmental Protection and approved by EPA Region III, at affected sources which are not located at major sources, as defined in 40 CFR part 70, in accordance with the final rule, dated April 2, 2002, effective June 3, 2002, and any mu-

tually acceptable amendments to the terms described in the direct final rule.

[61 FR 25399, May 21, 1996]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 63.99, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

EFFECTIVE DATE NOTE: At 76 FR 30550, May 26, 2011, § 63.99 was amended by revising paragraph (a)(20)(iii), effective July 25, 2011. For the convenience of the user, the revised text is set forth as follows:

§ 63.99 Delegated Federal authorities.

(a) * * *

(20) * * *

(iii) Affected area sources within Maine must comply with the Maine Regulations Applicable to Hazardous Air Pollutants (incorporated by reference as specified in § 63.14) as described in paragraph (a)(20)(iii)(A) of this section:

(A) The material incorporated into the Maine Department of Environmental Protection regulations at Chapter 125, Perchloroethylene Dry Cleaner Regulation, effective as of June 2, 1991, last amended on June 24, 2009, pertaining to dry cleaning facilities in the State of Maine jurisdiction, and approved under the procedures in § 63.93 to be implemented and enforced in place of the Federal NESHAP for Perchloroethylene Dry Cleaning Facilities (subpart M of this part), effective as of July 11, 2008, for area sources only, as defined in § 63.320(h).

(I) Authorities not delegated.

(i) Maine is not delegated the Administrator's authority to implement and enforce Maine regulations at Chapter 125, in lieu of those provisions of subpart M of this part which apply to major sources, as defined in § 63.320(g).

(ii) Maine is not delegated the Administrator's authority to implement and enforce Maine regulations at Chapter 125, in lieu of those provisions of subpart M of this part which apply to dry cleaning systems installed in a building with a residence between July 13, 2006 and June 24, 2009, as defined in § 63.320(b)(2)(i) and § 63.322(o)(4).

(2) [Reserved]

(B) [Reserved]

* * * * *